PUBLIC NOTICE
for PERMIT APPLICATION

US Army Corps
of Engineers
Portland District

Issue Date: October 17, 2003
Expiration Date: November 17, 2003
Corps of Engineers Action ID: 200200711
30 Day Notice Oregon Division of State Lands Number: 30764-RF

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Mr. Ron Marg)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Vern Scovell
P.O. Box 151
Nehalem Oregon 97131

Project Location: Mile 5.5 of the Nehalem River, in Township 2 North, Range 10 West, Section 2, and Township 3 North, Range 10 West, Section 35, in Tillamook County, Wheeler, Oregon

Project Description: The project would involve the following:

Dike Construction:

Dikes would be installed as shown in Figure 3 of the Project Plans prior to dredging. The purpose of the dikes is to create cells for retention of dredged material and for detention and settling of water pumped in with the dredged material. The primary disposal area is 4.8 acres and represents the portion of Bott's Marsh that would be filled to build the project (Figure 3). This area would take the bulk of the dredged material. The diked area to the south of the proposed boat basin would be used as a secondary settling basin if needed. This area could hold 10,000 cubic yards of silt and water.

The length of the dike around the primary settling basin is approximately 2,400 feet. The section along the Nehalem River is approximately 450 feet long. This section is already diked to +12

feet MLLW and will need a 4-foot lift to +16 feet MLLW. The entire dike around the primary settling basin would be built with an excavator. Material from the adjoining disposal area would be used to create the dikes where feasible. Because it would be necessary to allow dredged material time to settle and dry out prior to use as dike material, portions of the dike would be raised in stages to its final elevation of +16 feet MLLW over a period of two or three years. Approximately 3,000 cubic yards of regular pit run rock would be hauled in for a temporary work road and to help complete dike construction.

The secondary settling basin has already been filled to + 12.5 to +13.0 feet MLLW. A 3 to 4-foot berm would be constructed around this area to raise the dike to +16 feet MLLW. The length of dike for the secondary settling basin is approximately 2,300 feet. This dike would be built with an excavator, bulldozer, and truck with most of the material bulldozed from the material already on the ground. Approximately 2,000 cubic yards of pit run rock would be used in this area to help with dike construction.

A number of weirs would be installed in the dikes to allow selective discharge of settled water back to the work area. The water would settle long enough to ensure that Department of Environmental Quality turbidity standards are not exceeded. None of the water would be discharged back into the main channel of the Nehalem River. The location of input of dredge material would be changed several times during dredging. This would allow reversal of flow and help to keep a more even disposal area. A cross-cell culvert would be constructed over the south flushing channel during construction of the dikes to allow water to move across the channel from one cell to the other (Figure 4 of the Project Plans). Silt fences would be installed around the outside of the dikes above the high tide level to help prevent sediment from entering the river or Bott's Marsh.

Extension Of Culvert:

During construction of the dikes, the culvert that connects Zimmerman Creek to Bott's Marsh would be extended (Figure 2 of the Project Plans). This culvert presently extends under Highway 101 and the railroad tracks but its exact length is not known. Zimmerman Creek is a small tributary that enters along the east shore of lower Bott's Marsh. The culvert historically had a tide gate on it. However, the tide gate has become non-functional over the years. The new culvert would not have a tide gate and therefore, would allow the continued free exchange of tidal waters to the small salt marsh, which has developed on the east side of Highway 101. The culvert extension would be approximately 50 feet long and would open on both sides of Bott's Drive. No changes would be made to the existing culvert. The new culvert would be designed to allow passage of fish and would have the same diameter as the existing 48-inch culvert.

Since the culvert would be located in the primary disposal site, a ditch would be excavated for the culvert and the culvert would be installed at low tide without interruption to the flow from Zimmerman Creek. Berms would then be constructed across the ditch at each end of the culvert. The berms would be composed of dry fill material and would be compacted to prevent leakage of dredged materials. The ditch for the culvert would then be filled with dried dredged material. The berms on either end of the culvert would be brought up to the same elevation as the dikes for

the primary settling basin. Final grooming of the embankments near the ends of the culvert would be conducted after the final elevation of the fill had been reached and the access road surface had been installed.

South Flushing Channel:

Prior to beginning dredging, a permanent south flushing would be constructed (Figure 2 of the Project Plans). This channel would be located at the present location of one of the outlet channels from Bott's Marsh. The purpose of the south flushing channel is to minimize the impact of the project on marsh habitat located to the north of the project site by ensuring that exchange of water between the salt marsh and the Nehalem River continues unimpeded. Construction of the flushing channel early in the project would help ensure that construction of the dikes and the dredging operation would not interrupt tidal flushing of the marsh. The south flushing channel would be constructed with an excavator. The length of the channel would be approximately 75 feet. Approximately 200 cubic yards of material would be excavated to construct the channel. The material excavated from the channel would be used in dike construction. A cross section of the south flushing channel is shown in Figure 5 of the Project Plans. The walls of the channel would be lined with approximately 400 cubic yards of riprap, 20 to 6 inch minus. There would be 50 cubic yards of 26 to 15 inch minus riprap on the apron to the bridge. Any additional material for the flushing channel would be borrowed out of the dredge disposal area or pit run rock or fill would be trucked in.

Dredging:

Dredging of the access channel, small boat basin, and moorage basin for the M.V. Eland would be conducted by suction dredge. Dredging would occur during the Oregon Department of Fish and Wildlife (ODFW) in-water work period, which for Nehalem Bay extends from November 1 through February 28. Dredging would start near the entrance to the proposed boat basin and continue into the area of the basin. Existing topography of the proposed dredge prism is variable as indicated in Figure 6 and in the cross sections shown in Figure 7 of the Project Plans. The locations of the cross sections are shown in Figure 6 of the Project Plans. The dredged material would be pumped into the diked settling cells. Pumping would continue until the cells are filled with dredged material and water. After the supematant water has drained off and the recently pumped material has been partially dried, the dikes would be raised with the newly dredged material. This process would be repeated until the maximum elevation of the dikes (i.e., +16 feet MLLW) is reached. It is anticipated that the dredging operation would be conducted over a two- to four-year period. After the project is completed, no maintenance dredging is likely to be required for ten to twenty years.

The 200- x 200-foot access channel and the small boat basin would be dredged to a depth of -8 feet MLLW. The 110-foot by 200-foot mooring basin for the M.V. Eland would be dredged to -14 feet MLLW. The M.V. Eland's draft is 11 feet. A depth of -14 feet MLLW is needed in the mooring area to prevent grounding. The M.V. Eland will leave and return to the mooring facility on high tide and therefore, would be able to manage the -8 feet MLLW at the entrance. Cross sections showing the completed contours for the small boat basin and the deeper basin for the

M.V. Eland also are shown in Figure 7 of the Project Plans. The total amount of material to be dredged is estimated to be approximately 75,000 cubic yards.

Construction Of The Access Road And Loading/Unloading Area For The M.V. Eland:

After completion of dredging, the new access road (i.e. Bott's Drive) and the loading/unloading area (Figure 2 of the Project Plans) would be constructed at elevation +16 feet MLLW. This would be accomplished after the dredged materials have settled and dried out. The 2-lane road would be leveled and pit run rock would be trucked in to form the road base. Crushed gravel would be hauled in to form the surface of the road. The loading/unloading area also would be leveled and topped with rock and crushed gravel. A permanent single-lane bridge would be constructed over the upper end of the south flushing channel at this time. The parking area for the public boat ramp would be constructed in the same manner as Bott's Drive.

Bank Protection:

The locations of bank protection are indicated in Figure 2 of the Project Plans. Bank protection at the downstream side of the entrance channel would extend approximately 430 feet. The rock to be used would be 21 to 4 inch minus at the toe and would graduate to smaller riprap toward the top. The approximate amount of riprap in this area would be 1,500 cubic yards. The upstream side of the entrance channel would be protected for about 180 feet and would require approximately 400 cubic yards of 10 to 4 inch minus riprap. At each of these riprap sites, the base of the rock riprap would be keyed into the substrate to prevent undercutting. A typical cross section through the riprap at the south entrance is shown in Figure 8 of the Project Plans. Rock riprap is necessary to ensure the stability of the channel entrance, to provide erosion protection in heavy weather along the dike and to stabilize the entrance to the north and south flushing channels. Given the flow and erosive forces expected during high water and storm conditions, other stabilization and erosion control methods are not workable. The minimum amount of riprap necessary for bank protection would be used. The upper portions of the banks would be re-vegetated with native plants.

Construction of the Marina and Moorage Facilities:

The 85-slip marina would be located as shown in Figure 9 of the Project Plans. The marina would be connected to the shore with grated access ramps hinged on the bank to allow fluctuation with changes in tidal elevation. The marina would be a minimum of 12 feet from the south and west shorelines and would include uncovered, private slips along with transient moorage. No houseboats, live-aboards, or covered moorages are proposed. The main docks would be six feet wide and be constructed of non-treated wood or concrete panels floated on Styrofoam float logs (Figure 10 of the Project Plans). Thirty-eight of the finger docks would be 4 feet wide and 25 feet long; four would be 4 feet by 35 feet to accommodate a few larger vessels. The finger docks would be constructed of the same materials as the main docks.

A dock for transient moorage would be on the east side of the small boat basin and would be connected to the bank by a separate grated ramp. The transient moorage would be constructed of

the same materials as the remainder of the marina and will be 10 feet wide and 112 feet long. Support piles for the marina would be steel pipe, reinforced concrete, or plastic. All pile driving would be conducted during the preferred work window of November 1 to February 28. Approximately 20 piles are proposed to secure the marina. Each pile would be 40 feet long with 17 feet in the ground below the -8 foot MLLW elevation. The diameter of the piles will be 12 inches. An inverted cone would be placed on the top of each pile to prevent predatory birds from roosting on the piles. The moorage facility for the 165-foot M.V. Eland would be designed as shown in Figure 11. Vertical steel sheet pile will be installed along the face of the berth and will extend 15 feet below the -14 foot MLLW mud line. The length of sheet piling that extends back toward the south flushing channel is approximately 30 feet in length. The length along the front of the facility will be about 140 feet, with a 70-foot extension along the east end of the facility. A three-pile dolphin and six fender piles would be installed as shown in Figure 11 of the Project Plans. The 12-inch diameter piles would be reinforced concrete, steel or plastic and would be capped with inverted cones.

Creation of a Secondary Flushing Channel:

A new north flushing channel for Bott's Marsh would be created by breaching the existing dike at the location shown in Figure 2 of the Project Plans. The location of the breach in the dike was selected to meet an existing tidal channel in the marsh that extends to the base of the dike. This new flushing channel would improve water circulation within Bott's Marsh, allow better flushing of detrital material from the marsh, and provide additional access to the marsh for juvenile salmonids and other fish species. A cross section of the dike breach with dimensions is shown in Figure 12 of the Project Plans. The opening would be protected by placement of rock riprap and plantings of appropriate native vegetation. Approximately 350 cubic yards of material would be removed to create the opening. This material would be placed along the inside of the dike on either side of the breach. Approximately 111 cubic yards of 18 inch minus riprap would be used to protect the banks of the opening from erosion. The riprap would extend below the bottom of the floor of the opening to prevent undercutting of the bank. It is anticipated that the existing tidal channel in Bott's Marsh would widen and deepen somewhat over time due to the erosive force of tidal fluctuations. The opening in the dike has been purposefully kept narrow to ensure that water velocities during outgoing tides will be sufficient to keep sediment from building up at the opening.

Construction of Public Boat Ramp and Parking Lot:

A public boat ramp and associated parking facilities would be constructed following construction of the marina and mooring facilities (Figure 13 of the Project Plans). The boat ramp would be constructed to allow small boat launching under all normal tidal conditions. It will be 30 feet in width and approximately 100 feet long and would be poured in place. A dike would be maintained in front of the boat ramp until it is completed. The boat ramp would provide a single lane ramp with a small moorage area between the outlet of the lower flushing channel and the boat ramp (Figure 13). A 10- by 65 foot courtesy float on the East side of the ramp would require three 10-12 inch diameter, reinforced concrete, steel or plastic piles. The deck of the float would be constructed of non-treated wood or concrete. The ramp slope would be approximately 17 percent as shown in Figure 13.

Total Project Impacts:

Fill 4.8 acres with 81,000 cubic yards of material, of which 80,000 cubic yards would be below the high tide line.

Dredge 75,000 cubic yards of material from a 4.0-acre area consisting of mud flats and intertidal wetland.

Mitigation Location: In Township 3 North, Range 10 West, Section 34, in Tillamook County, Nehalem, Oregon

Mitigation: The applicant has proposed accomplish the following mitigation:

a. Construct a North and south flushing channel as described in the above project description;

b. Remove an existing tide gate that is on a box culvert in Zimmerman Creek as described in the project description; and

c. Restore estuarine function at the Dean Point Mitigation Site by excavating two breaches in the dike (one at the south end where large trees on the dike are sparse and a natural channel in the adjacent marsh reaches the base of the dike, and the other at the opposite end, opening into Alder Creek). The openings in the dike would be approximately 35 feet across at the top of the dike and would be wide enough for tidal flow to enter the area unrestricted and at natural low velocity. Specific locations and cross sections for the south and north breaches are shown in Figures 10, 11, and 12 of the mitigation plans, respectively. The exposed banks at both of the breaches would be protected with a combination of rock riprap and plantings to prevent erosion. Footbridges would be constructed across each breach. Material at the south breach would be removed down to the adjacent marsh channel level but no lower. The depth of the breach adjacent to Alder Creek would be down to approximately the same level as the bottom of Alder Creek (i.e., +2.7 ft MLLW).

The depression that presently exists on the meadow side of the outlet to Alder Creek would be deepened to a maximum depth of approximately +3 ft. MLLW along the route of an historic tidal channel (Figure 12 of the mitigation plans). Some additional excavation is proposed along the old channel that extends into the meadow from the outlet to Alder Creek. This excavation will deepen and extend the existing channel to create unvegetated tidal channel habitat (Figure 12 of the mitigation plans). Also a 10-15 foot wide bench would be excavated along both sides of the channel to create additional low marsh habitat. The bench would be at approximately 5.5 feet MLLW, which is well within the low marsh zone. Cross sections through the excavation showing the proposed grading plan for the channel are presented in Figure 13 of the mitigation plans. Approximately 0.13 acres of C. lyngbyei would be planted or seeded along the excavated benches on either side of the deepened tidal channel to ensure that the excavated areas are vegetated as quickly as possible.

The material that is removed from the dike and from the meadow would be placed at two locations. Some of the material would be used to increase the elevation of the fill over the sewer-line at the northern end of the site to prevent tidal flooding into adjacent pastures (Figure 12 of the mitigation plans). All of this would be upland fill and placed on the existing access road and dike. The access road that follows the sewer line will be reestablished after the filling. The remainder of the excavated material will be used to enlarge the small island of wooded wetland located near the outlet to Alder Creek (Figure 12 of the mitigation plans). A cross section through this fill is presented in Figure 14. The elevation of the fill associated with the wooded wetland would be maintained at less than +9.0 ft MLLW to ensure that it will function as high salt marsh habitat when vegetation is re-established. The fill associated with the wooded island would be replanted with salt marsh species appropriate for the elevation in the marsh. A planting plan for the proposed mitigation site is attached (see Attachment 2).

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: The stated purpose is to alleviate an existing safety hazard by constructing a protected all year moorage and wharf for the M.V. Eland, a 165-foot supply vessel operated by Nehalem Dredging, Inc. and for the M.V. Port of Nehalem, an approximately 30-foot harbor service tugboat operated by the Port of Nehalem; to satisfy existing demand for a protected all-year marina with 85 slips for recreational fishing vessels ranging from 14 to 26 feet; and to satisfy existing demand for a public boat ramp.

Drawings: Thirty-three drawings/sheets labeled 200200711 (Nehalem River - Proposed Boat Basin)

Additional Information: Additional information may be obtained from Mr. Ron Marg, Regulatory Project Manager, U.S. Army Corps of Engineers at (503) 808-4390.

Authority: This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Coastal Zone Management Act Certification: A permit for the described work will not be issued until the state has concurred with the applicant's certification that the described activity affecting land or water uses in the Coastal Zone complies with the State Coastal Zone Management Program. Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3) requires the applicant to provide a Certification of Consistency statement. If the state fails to concur or object to the certification statement within six months, state concurrence shall be conclusively presumed. Attached to this Public Notice is a notice of application for Certification of Consistency with the State's Coastal Zone Management Program.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

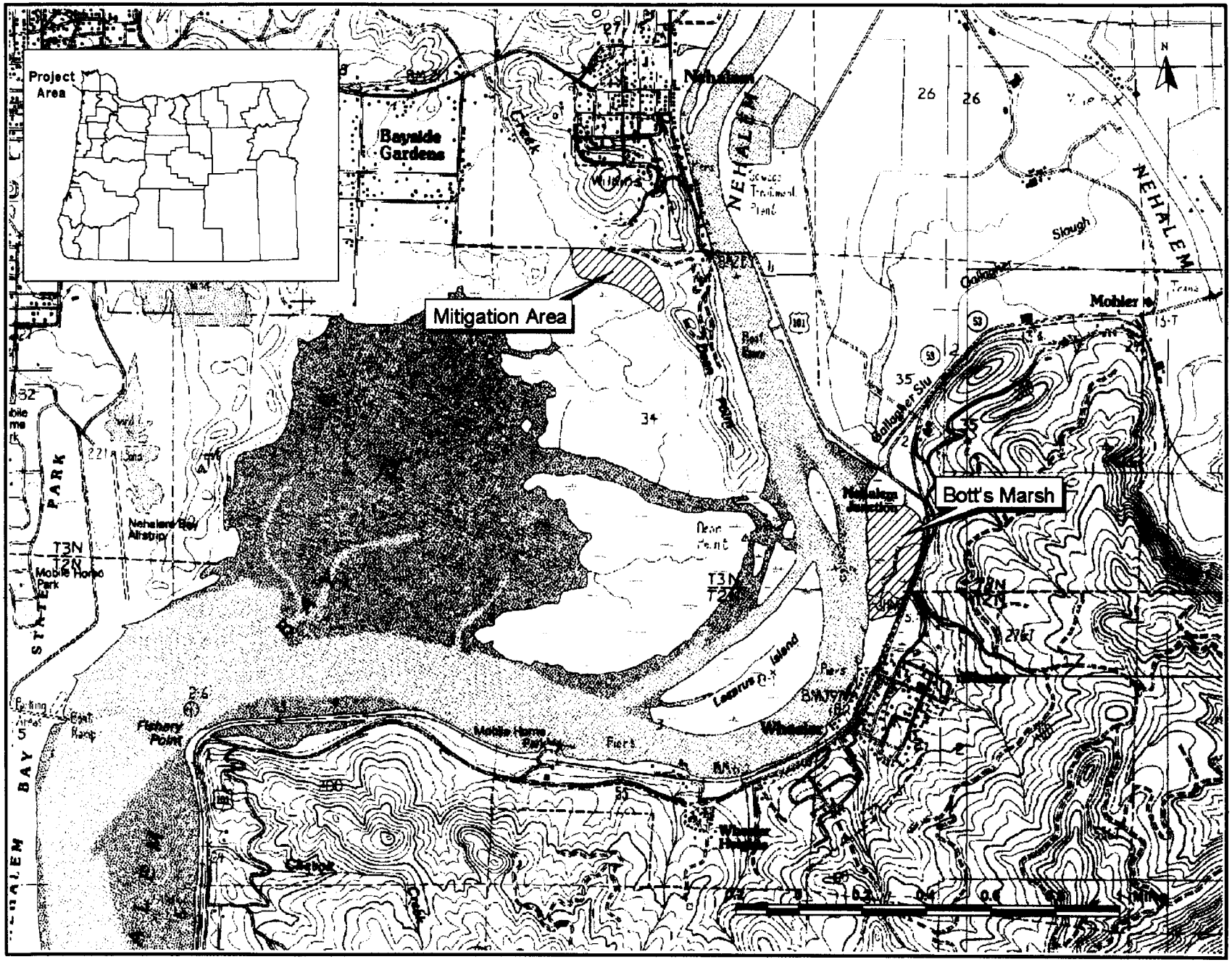
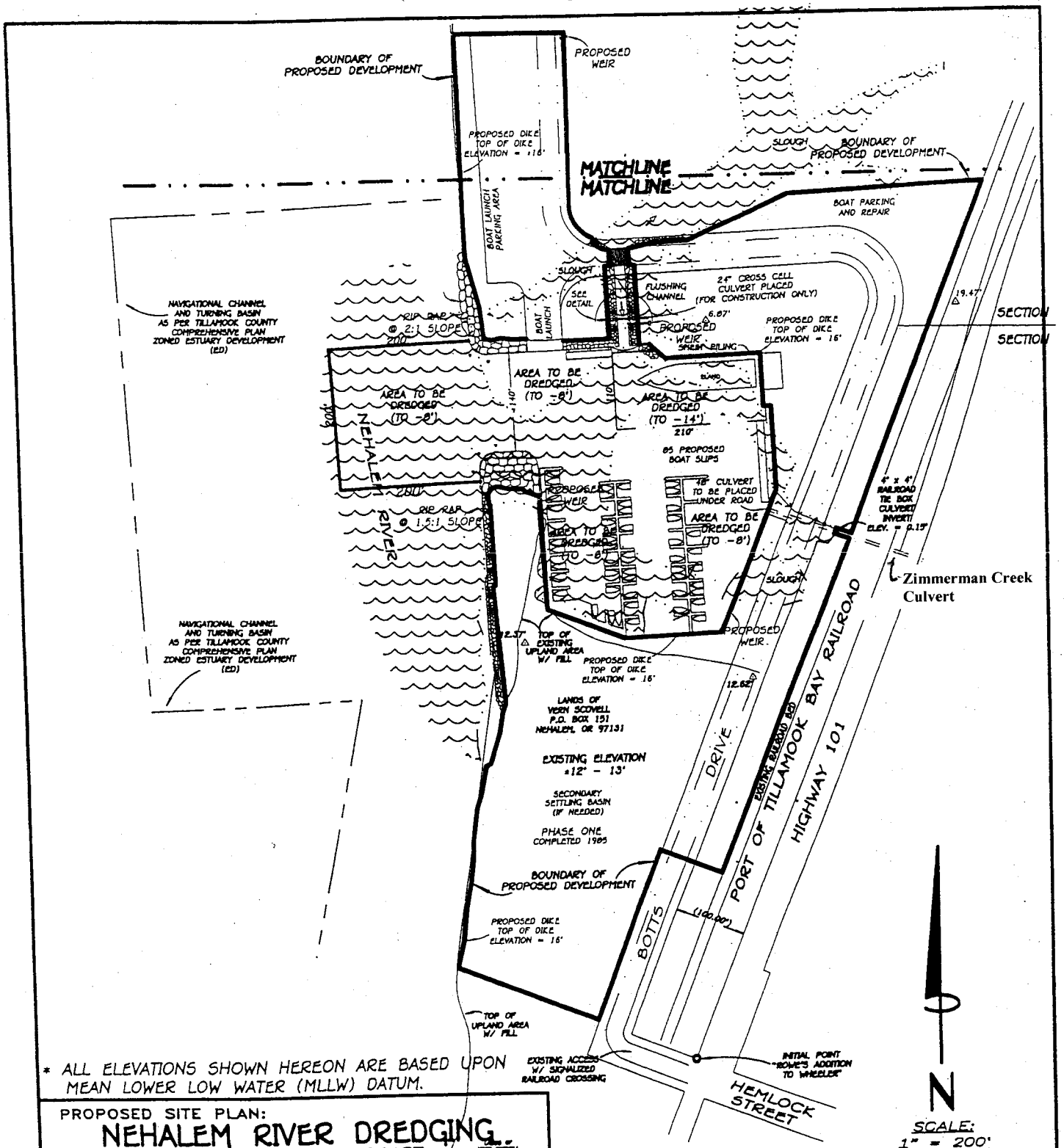


Figure 1. Location of Bott's Marsh and the Dean Point Mitigation Site.

PROJECT PLANS

200200711 (Nehalem River - Proposed Boat Basin)



* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

PROPOSED SITE PLAN:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

APPLICATION BY: VERN SCOVELL
PROPOSED WORK AT
MILE 2.7 OF NEHALEM RIVER
TILLAMOOK COUNTY

FIGURE 2

DATE	JOB NO.	FILE	DESIGNED	DRAWN	CHECKED
APR. 30, 2003	0098-11411-28	"BOTTS" #A2001	VS	GAC	MHT

200200711 (Nehalem River - Proposed Boat Basin)

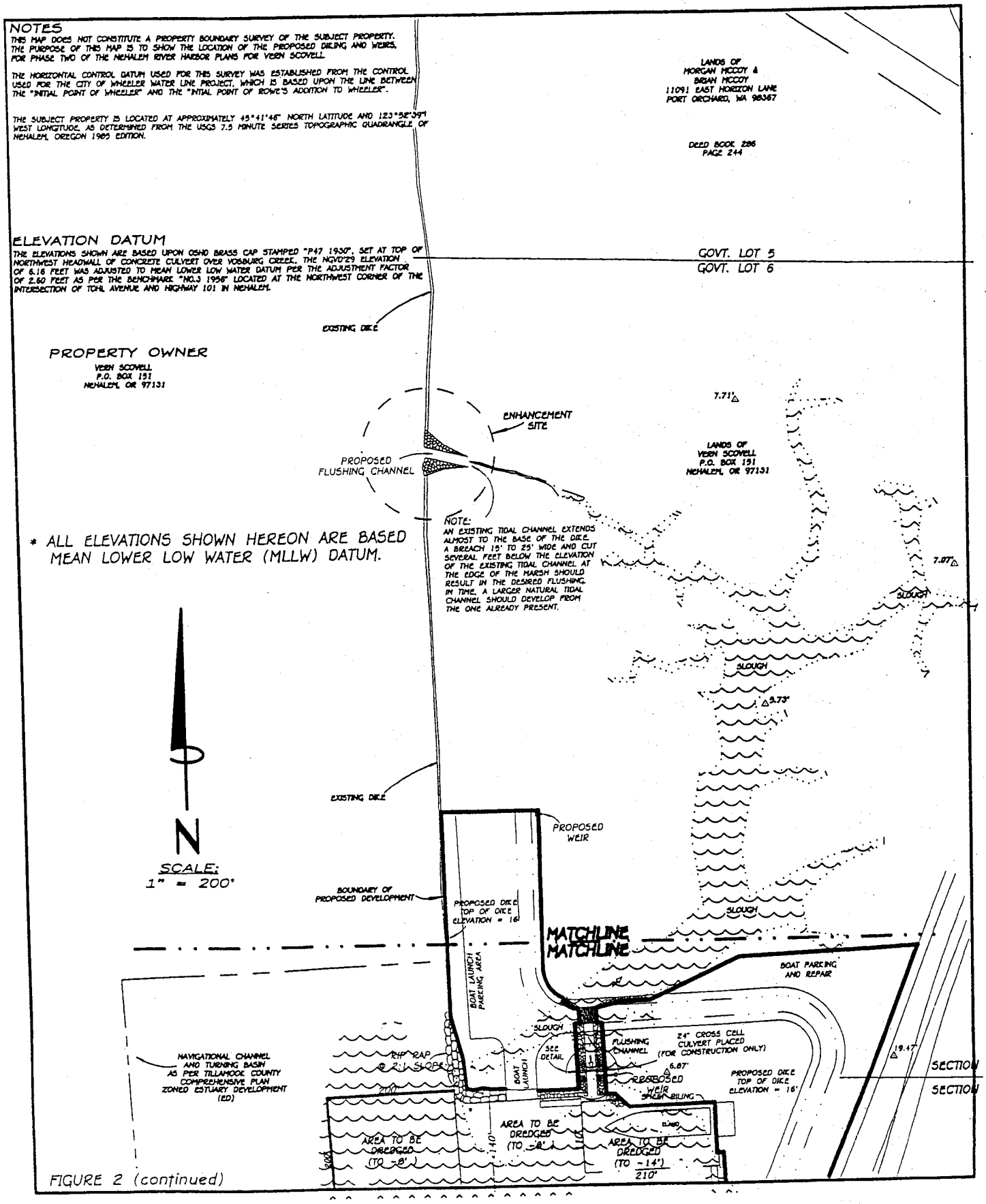
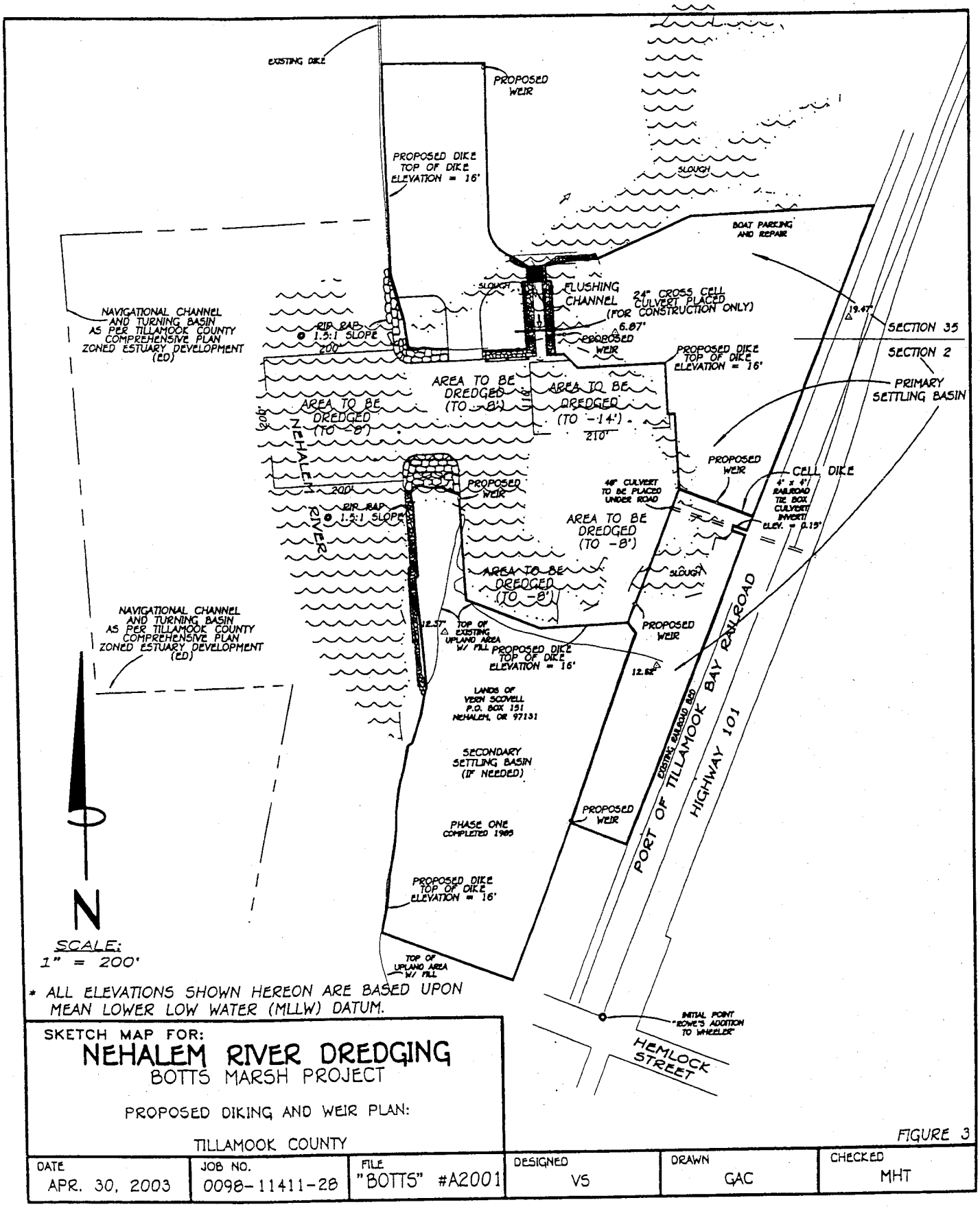


FIGURE 2 (continued)

200200711 (Nehalem River - Proposed Boat Basin)



SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

PROPOSED DIKING AND WEIR PLAN:

TILLAMOOK COUNTY

FIGURE 3

DATE	JOB NO.	FILE	DESIGNED	DRAWN	CHECKED
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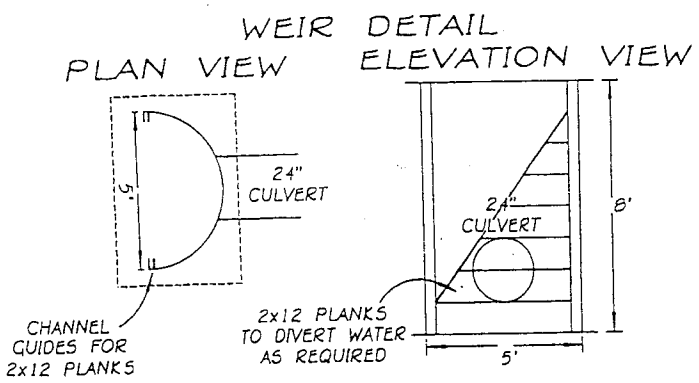

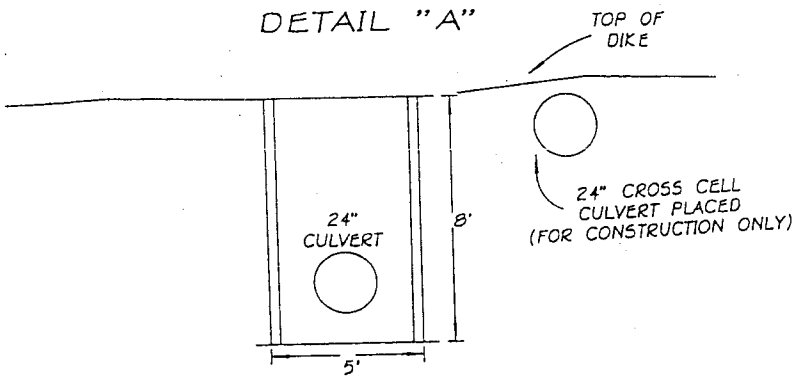

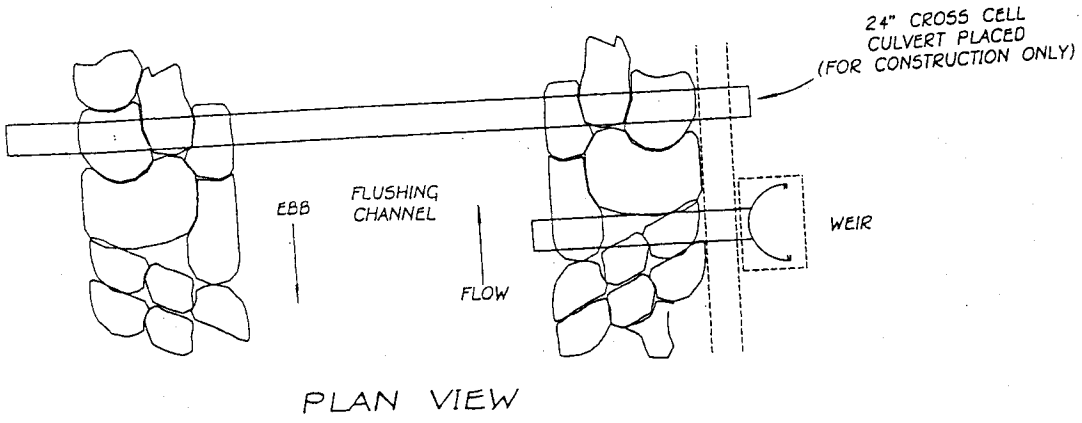

FIGURE 4

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

WEIR DETAILS

TILLAMOOK COUNTY

PREPARED BY:
HLB & ASSOC., INC.
HANDFORTH LARSON & BARRETT
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TILLAMOOK COUNTY
160 LANEDA AVE.
MANZANITA, OR 97130
(503) 368-5394
FAX: (503) 368-5847
CLATSOP COUNTY
4253A HWY 101 N.
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(503) 738-3425
FAX: (503) 738-7455

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AUGUST 8, 2002	0098-11411-28	"BOTTS" #A2001	VS	GAC	MHT

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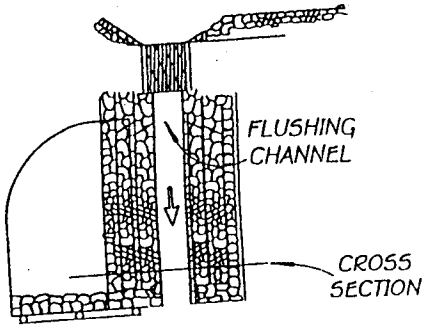
SOUTH FLUSHING CHANNEL



TYPICAL FLUSHING CHANNEL CROSS SECTION

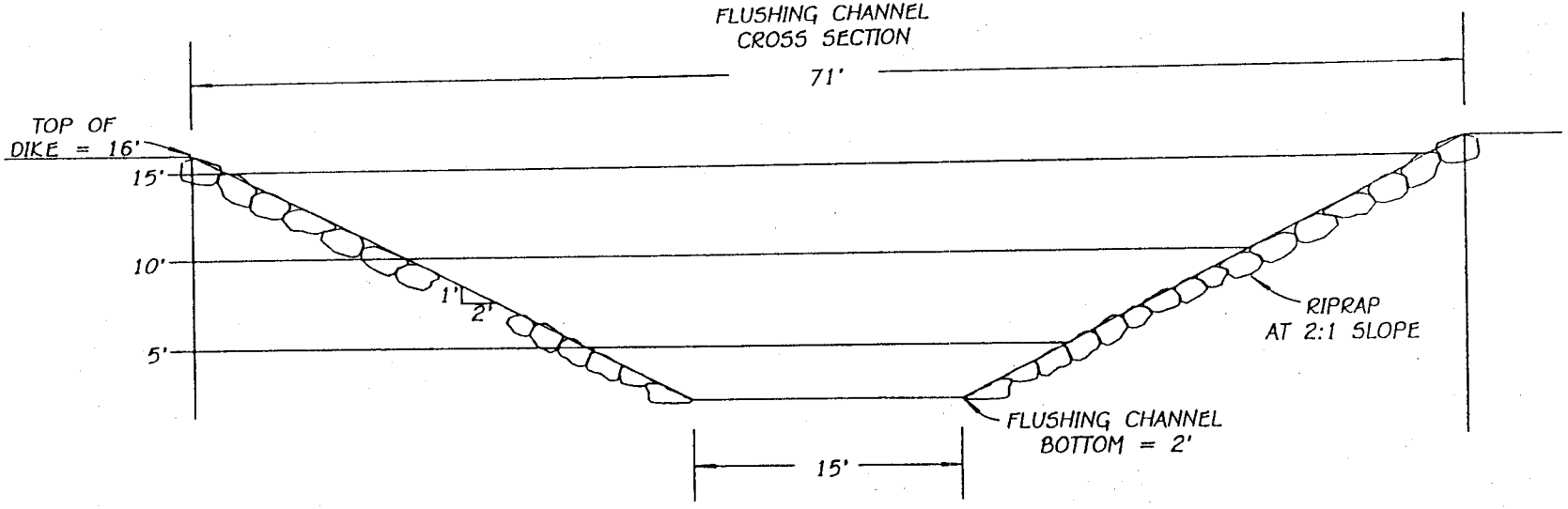


FIGURE 5

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILE OF FLUSHING CHANNEL

TILLAMOOK COUNTY

SURVEY BY:
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APR. 30, 2003	0098-11411-20	"BOTTS" #A2001	VS	GAC	MHT

200200711 (Nehalem River - Proposed Boat Basin)

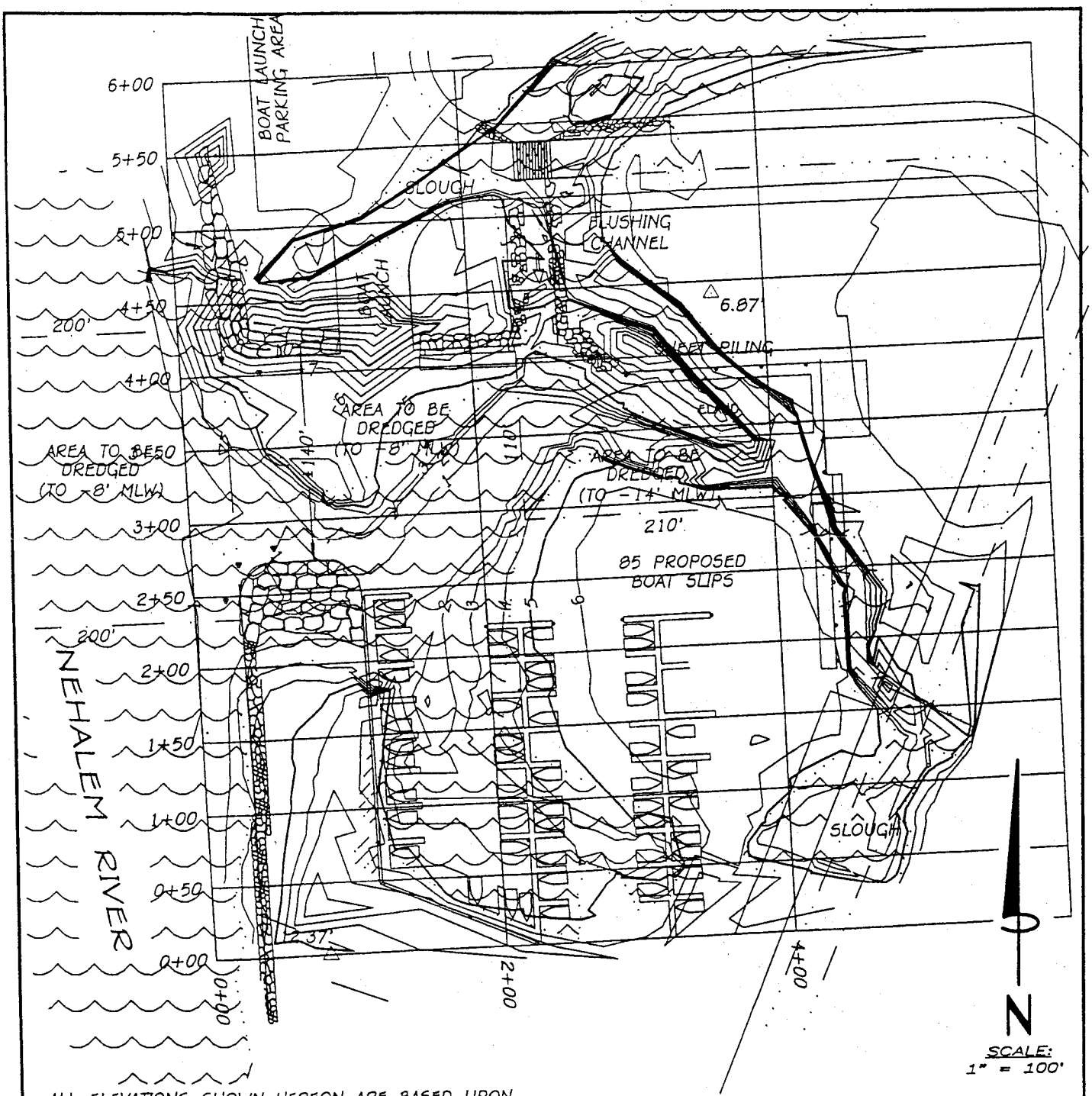

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FIGURE 6

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

CROSS-SECTION GRID

TILLAMOOK COUNTY

SURVEY BY:

HLB & ASSOC., INC.

HANDFORTH LARSON & BARRETT

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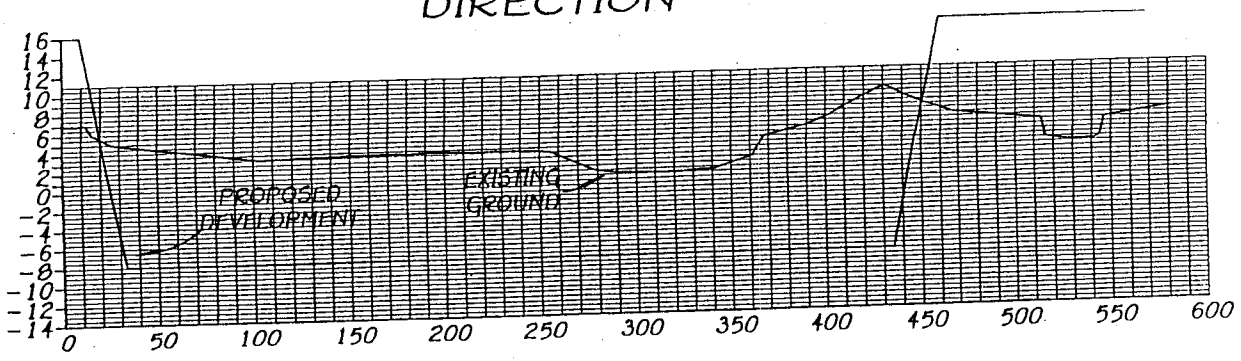
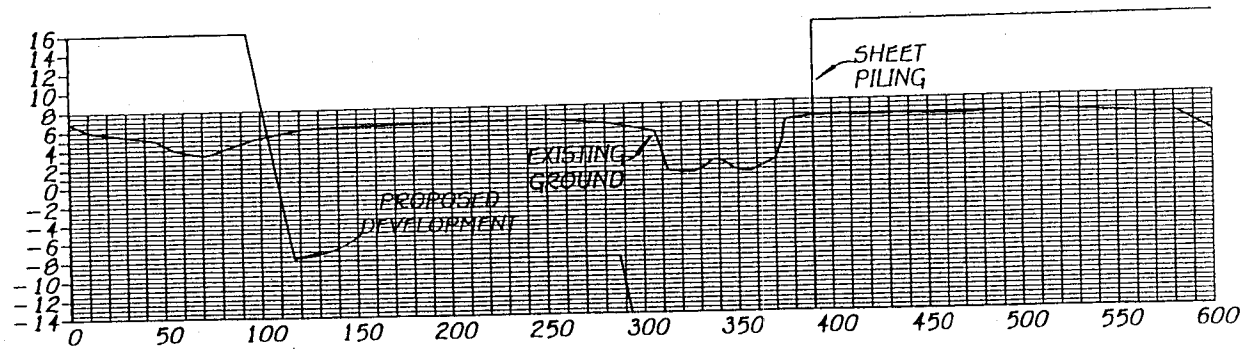
PROFILE NORTH–SOUTH DIRECTION

2+00



4+00



VERTICAL SCALE: 1" = 10'
HORIZONTAL SCALE: 1" = 50'

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 7

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILES AT MOORAGE AREA

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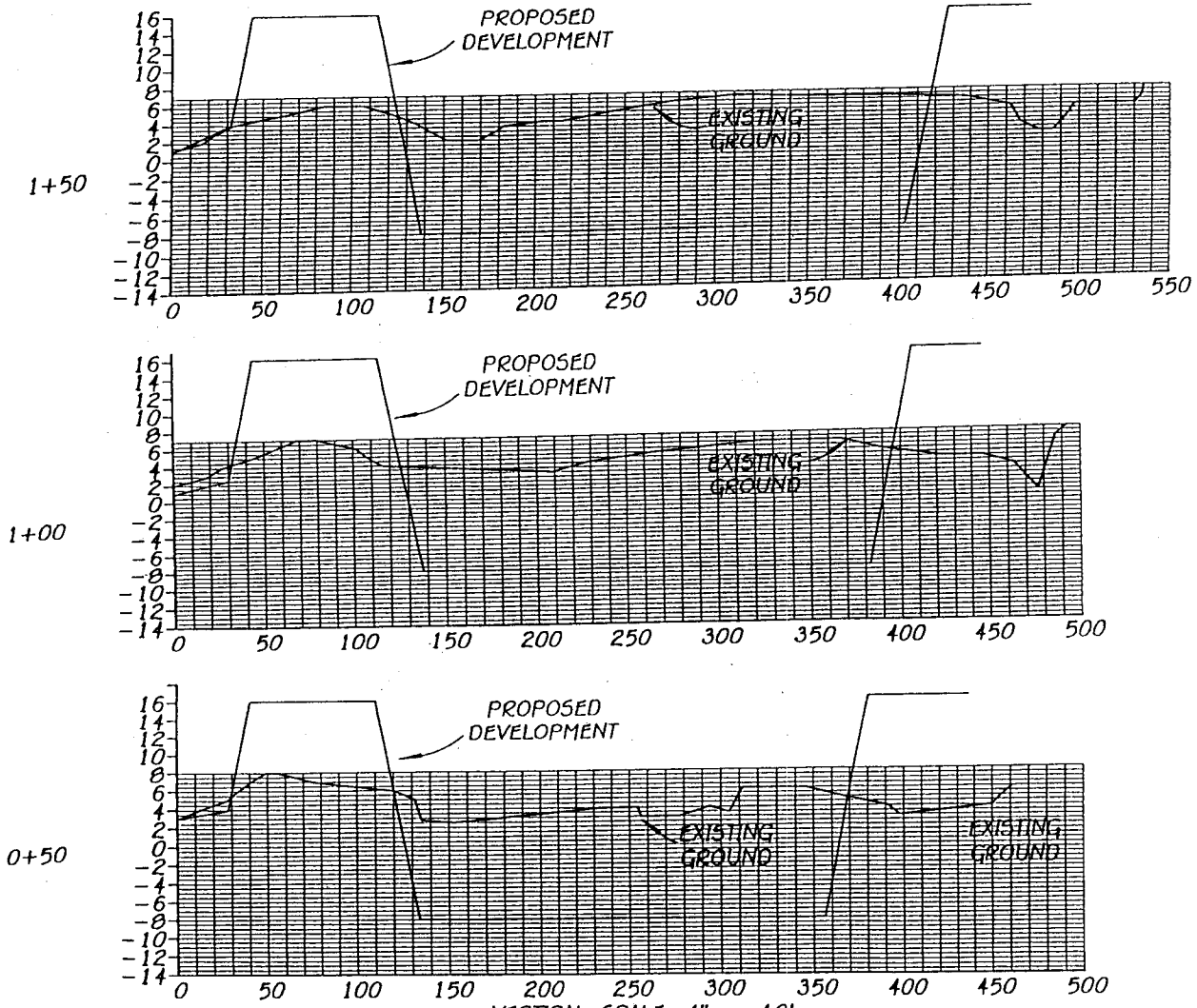

VERTICAL SCALE: 1" = 10'
HORIZONTAL SCALE: 1" = 50'

FIGURE 7 (continued)

*ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILES AT MOORAGE AREA

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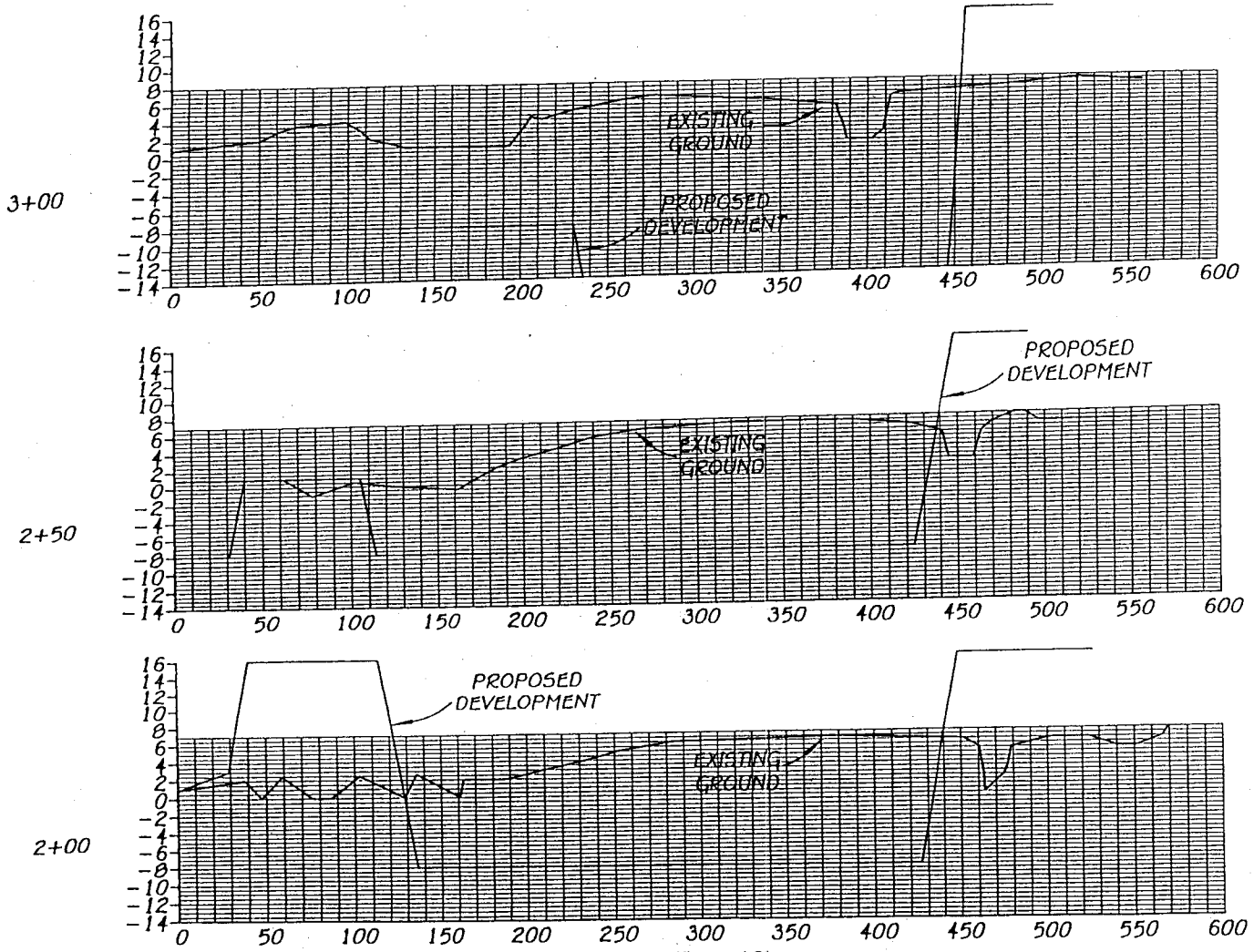

*ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 7 (continued)

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

CROSS-SECTION PROFILES AT MOORAGE AREA

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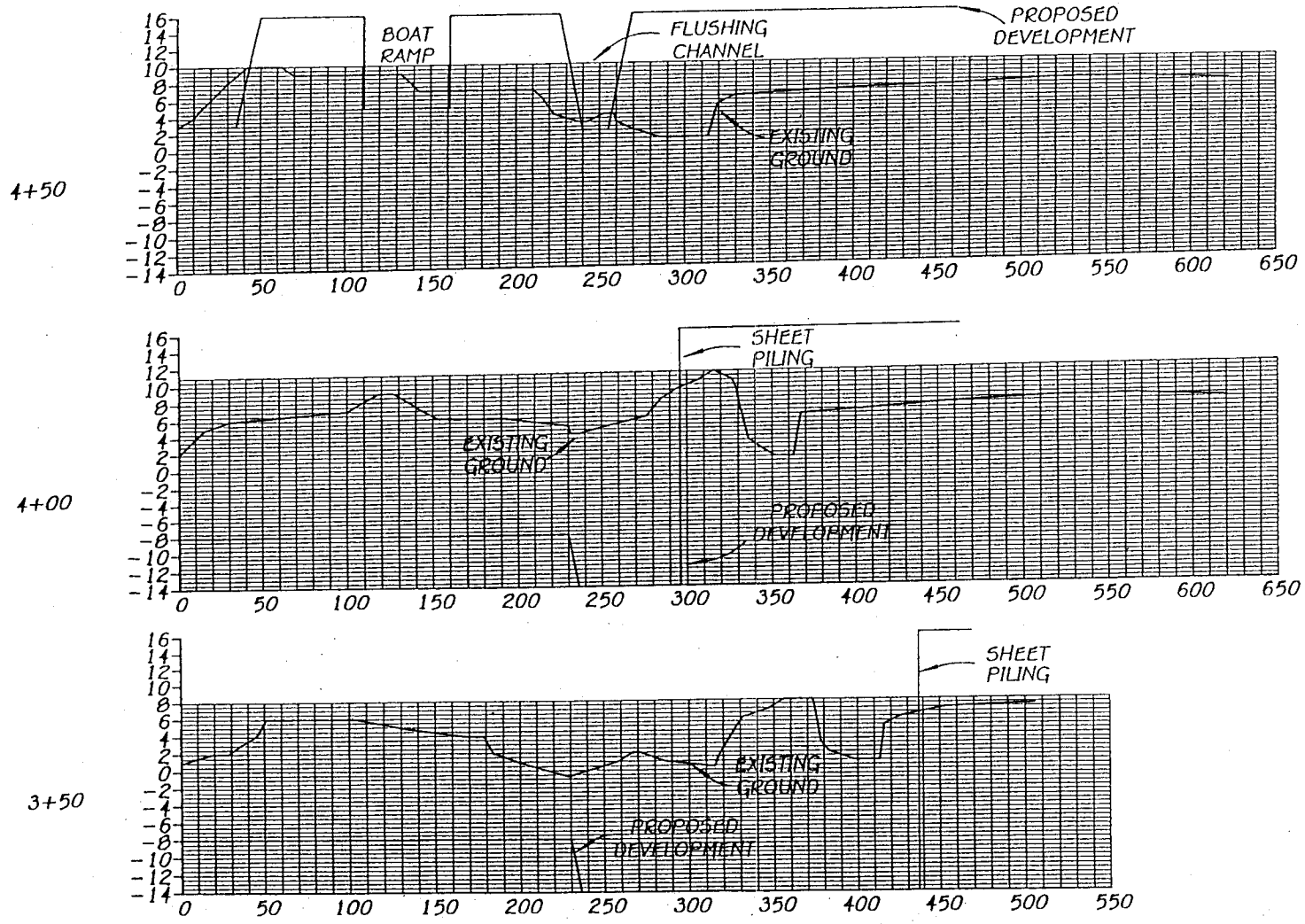

VERTICAL SCALE: 1" = 10'
HORIZONTAL SCALE: 1" = 50'

*ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 7 (continued)

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILES AT MOORAGE AREA

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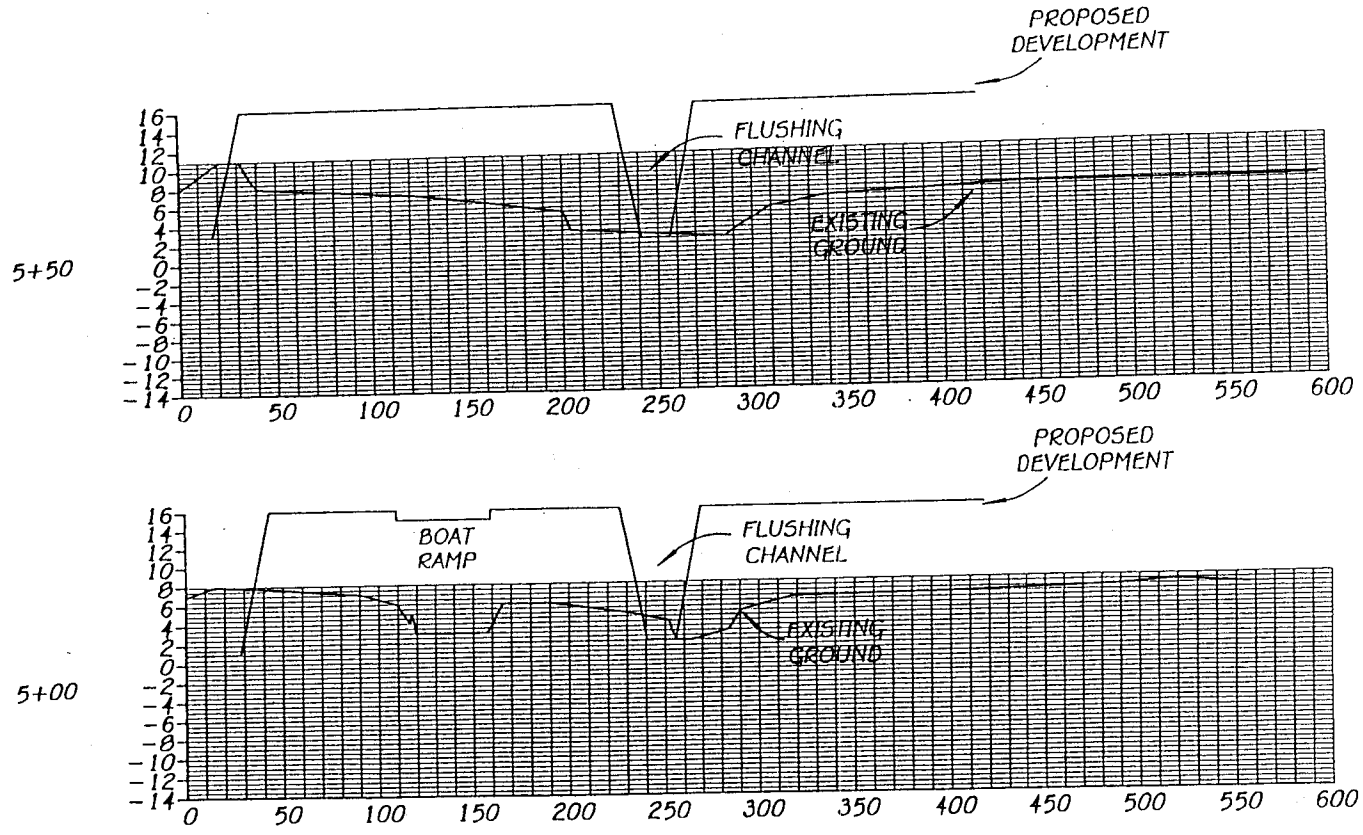

VERTICAL SCALE: 1" = 10'
HORIZONTAL SCALE: 1" = 50'

FIGURE 7 (continued)

*ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILES AT MOORAGE AREA

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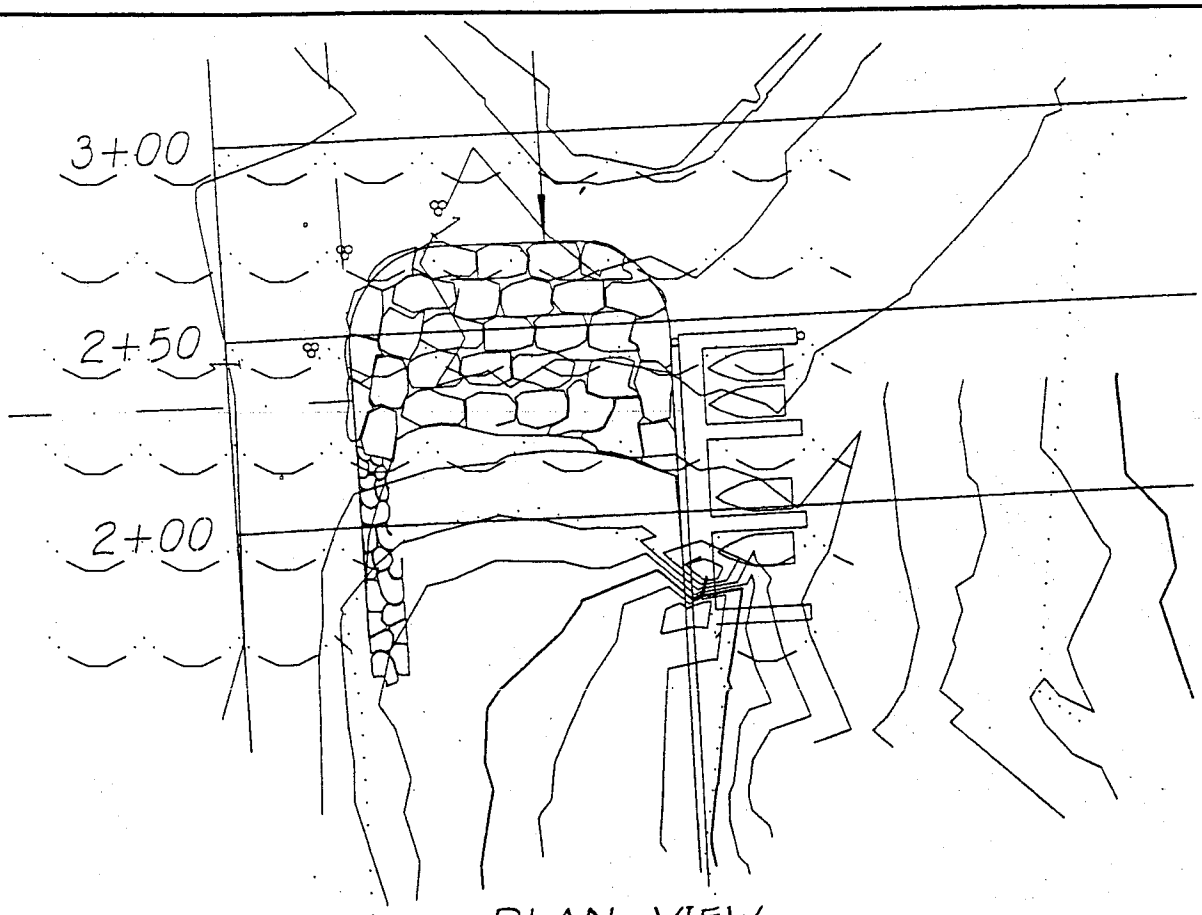
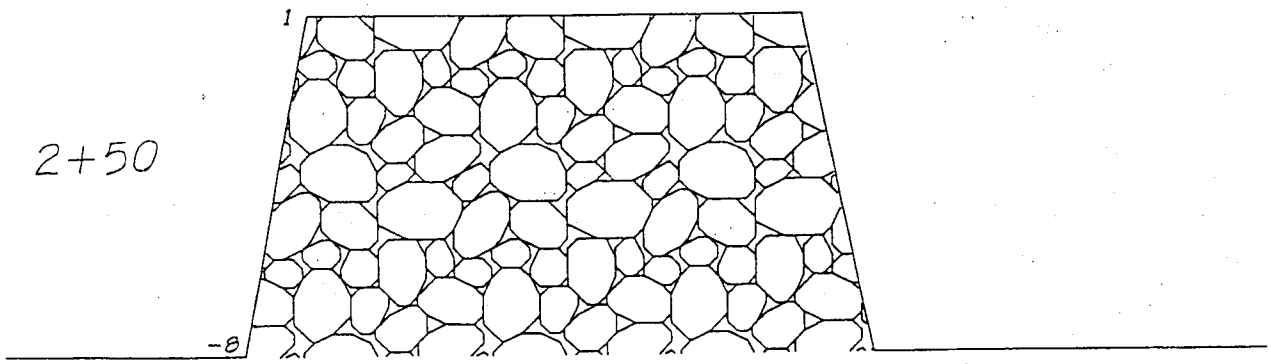
200200711 (Nehalem River - Proposed Boat Basin)



PLAN VIEW



ELEVATION VIEW

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 8

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS SECTION PROFILES AT SOUTH ENTRANCE RIPRAP

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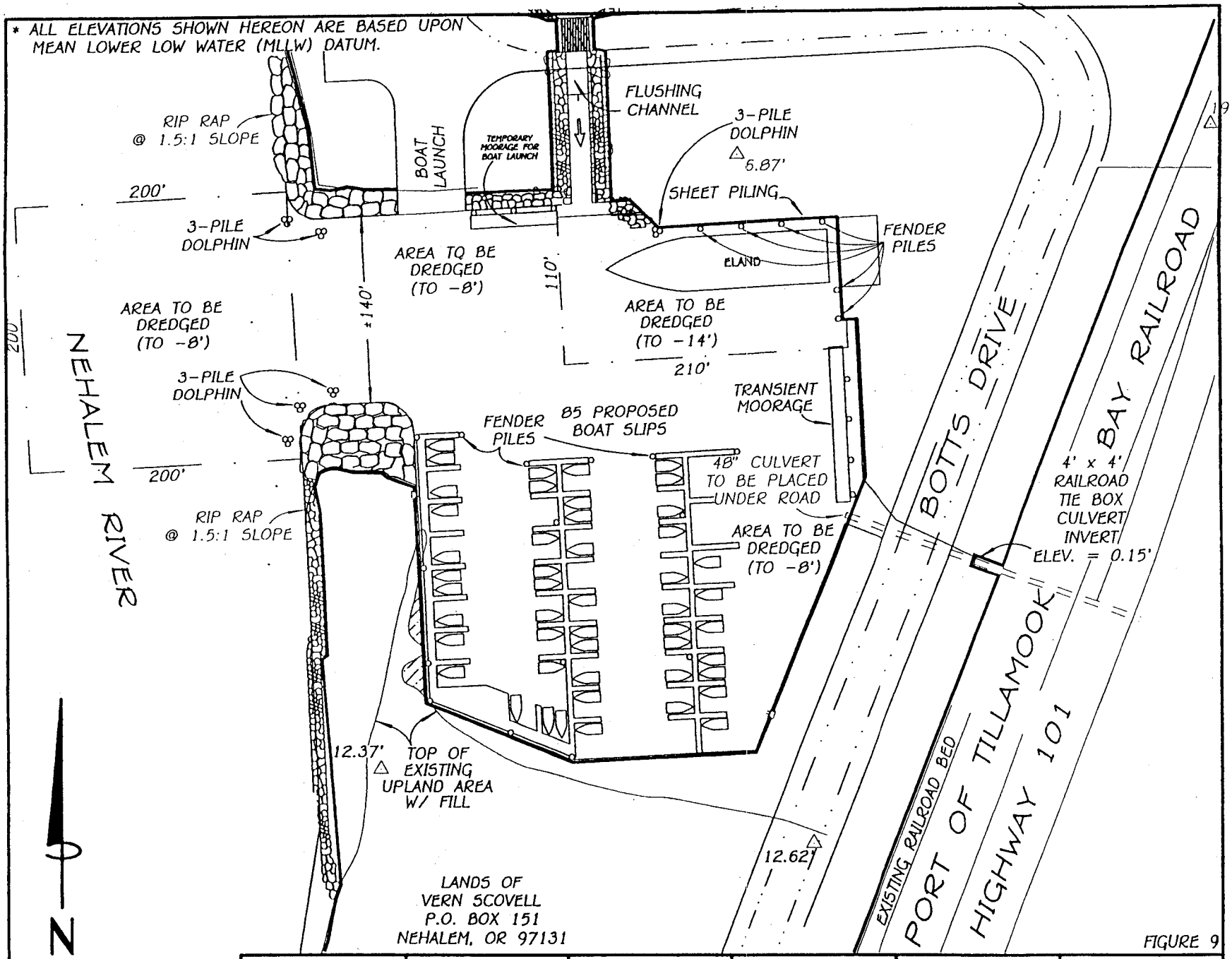

MARINA AND MOORAGE FACILITY DETAIL

200200711 (Nehalem River - Proposed Boat Basin)

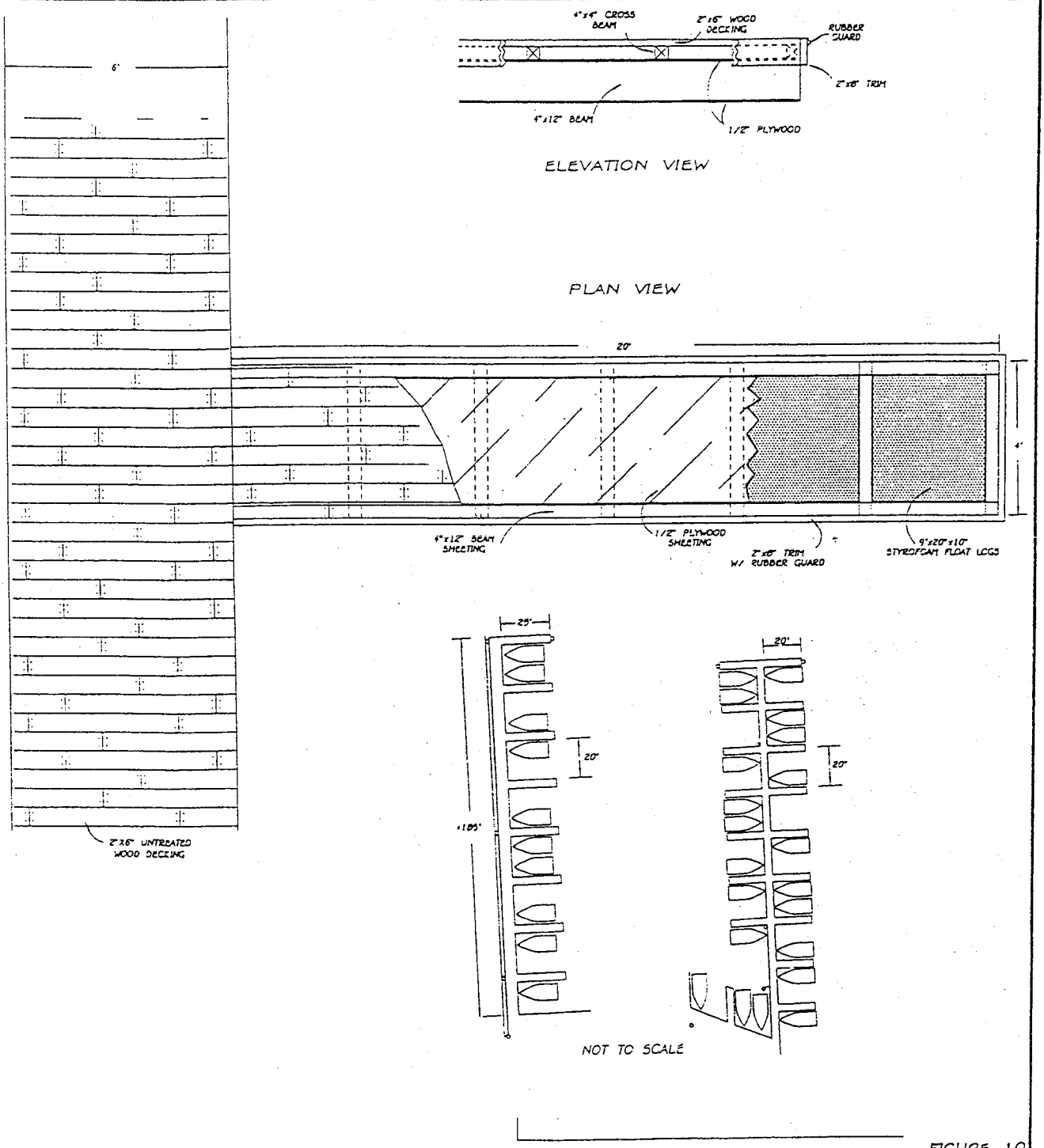

FIGURE 10

NEHALEM RIVER DREDGING

"BOTTS MARSH PROJECT"

BOTTS MARSH PROPOSED DEVELOPMENT PLAN

Details of Walkways for Small Boat Marina

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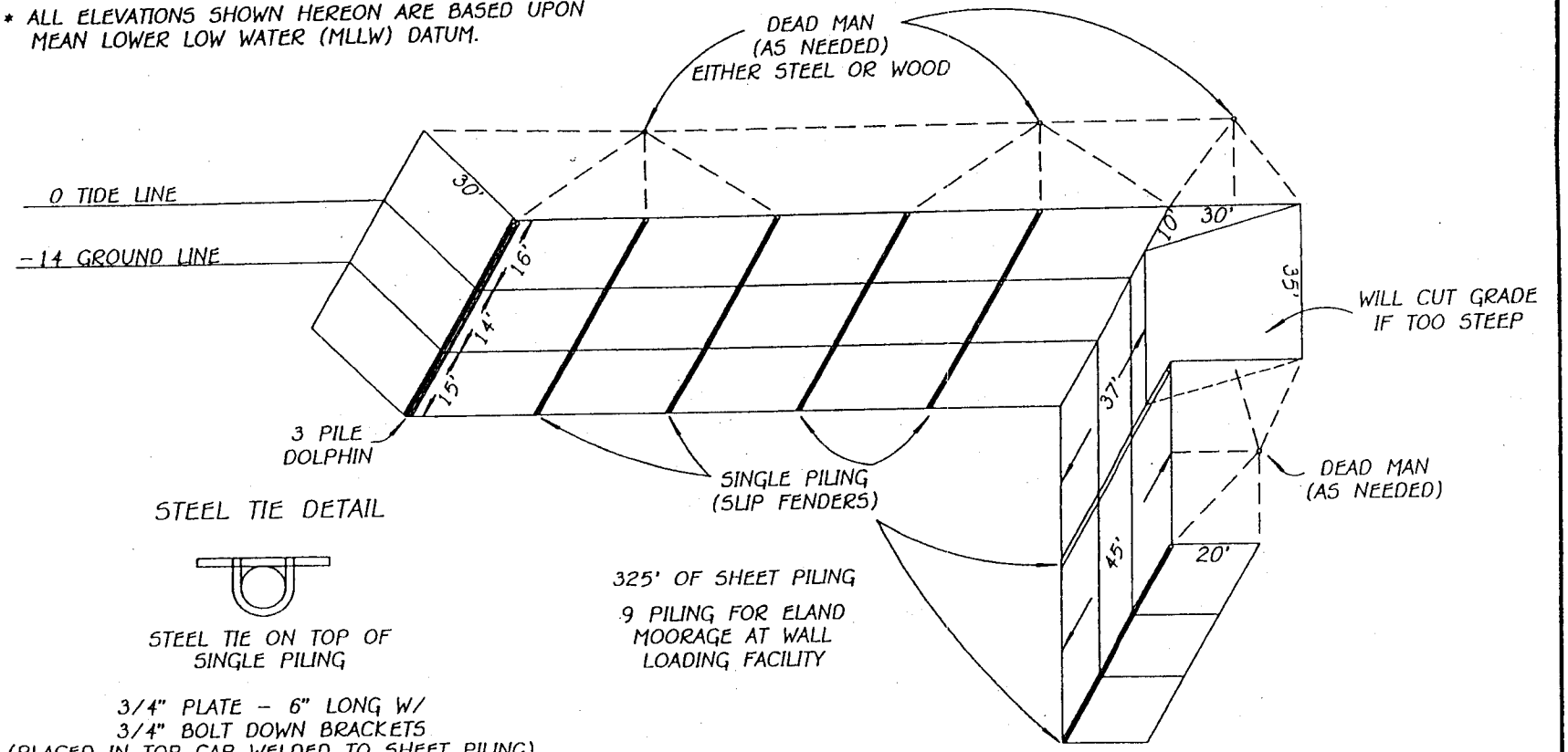
NEHALEM RIVER HARBOR

SHEET PILING DETAIL
(SHEET PILING AND/OR DIKE UNTIL SHEET PILING ARE IN PLACE)

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.



STEEL TIE DETAIL

STEEL TIE ON TOP OF SINGLE PILING

3/4" PLATE - 6" LONG W/
3/4" BOLT DOWN BRACKETS
(PLACED IN TOP CAP WELDED TO SHEET PILING)

325' OF SHEET PILING

9 PILING FOR ELAND MOORAGE AT WALL LOADING FACILITY

SCALE: 1" = 40'

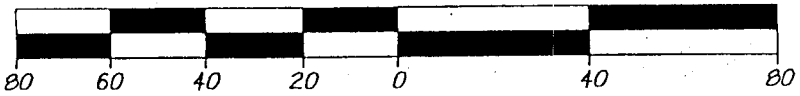


FIGURE 11

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

SHEET PILING DETAIL

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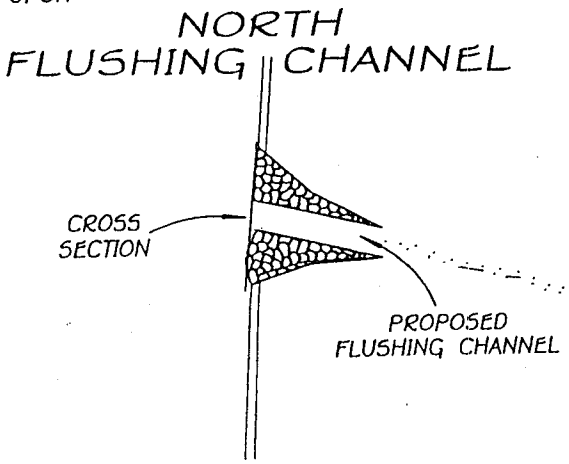

NOTE:
AN EXISTING TIDAL CHANNEL EXTENDS ALMOST TO THE BASE OF THE DIKE. A BREACH 15' TO 30' WIDE AND CUT SEVERAL FEET BELOW THE ELEVATION OF THE EXISTING TIDAL CHANNEL AT THE EDGE OF THE MARSH SHOULD RESULT IN THE DESIRED FLUSHING. IN TIME, A LARGER NATURAL TIDAL CHANNEL SHOULD DEVELOP FROM THE ONE ALREADY PRESENT.

TYPICAL FLUSHING CHANNEL CROSS SECTION

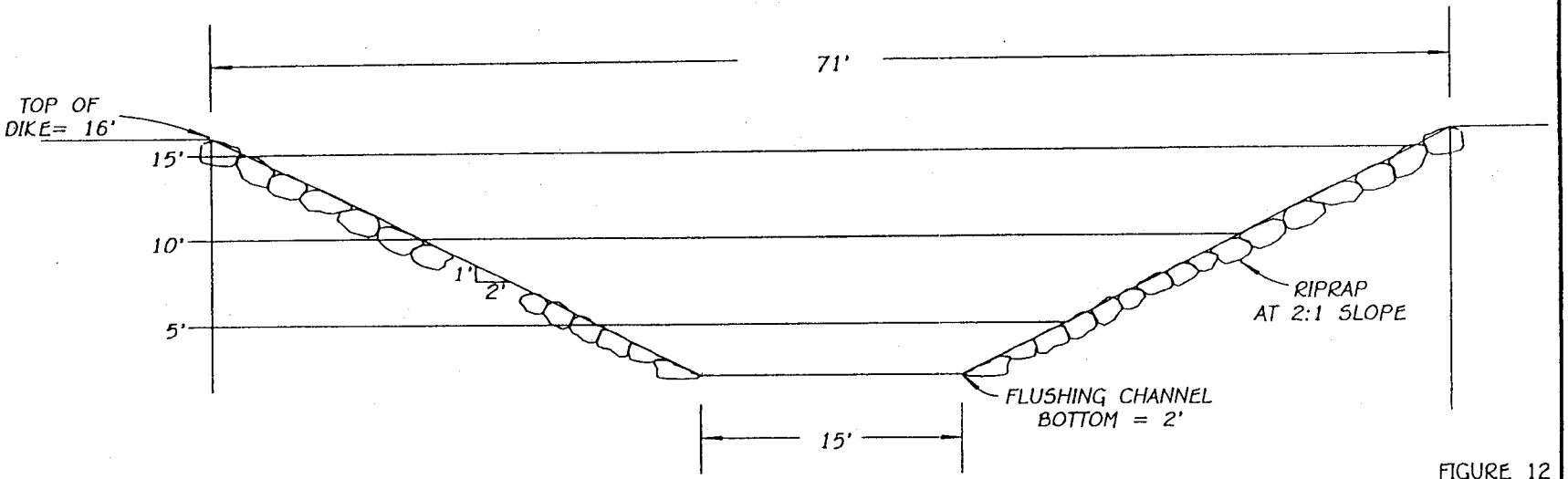

FIGURE 12

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

CROSS-SECTION PROFILE OF FLUSHING CHANNEL

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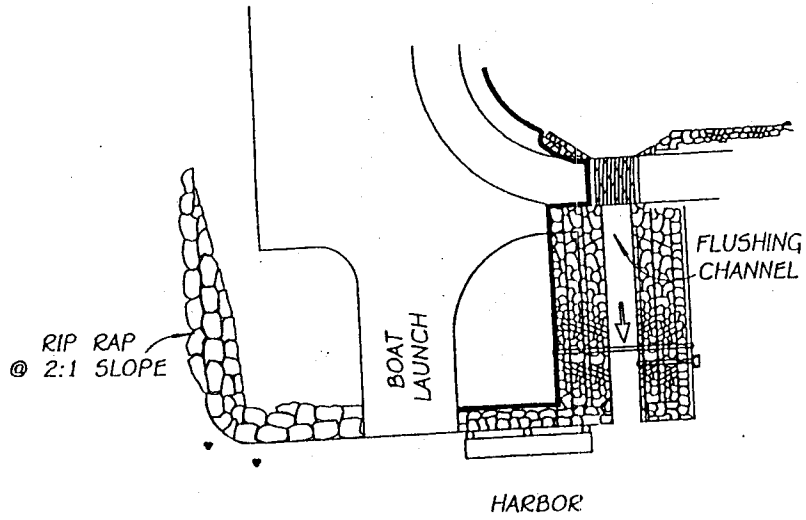
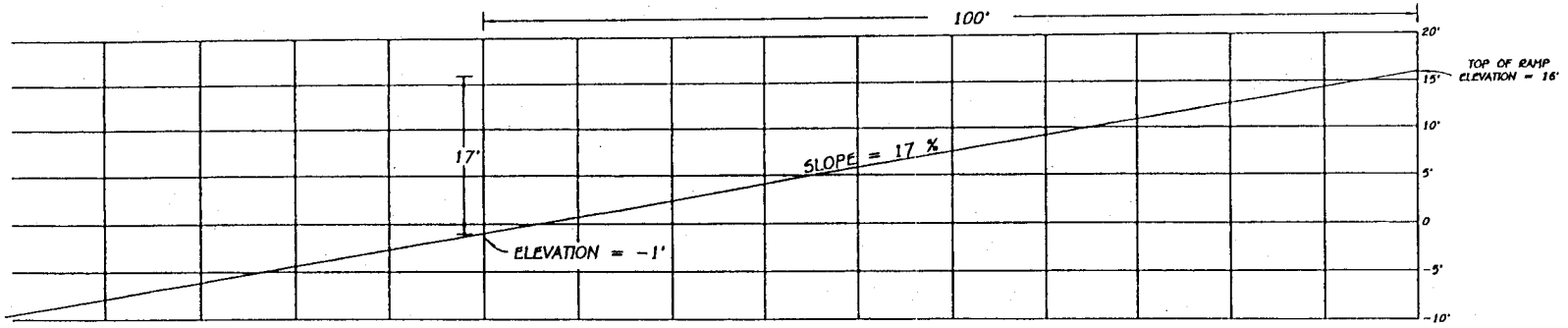
PROFILE OF BOAT LAUNCH

(NOT TO SCALE)





* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 13

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

PLAN AND PROFILE OF BOAT LAUNCH SITE

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MITIGATION PLANS

Figure 3. Aerial Photograph of Bott's Marsh in early 1950's when the cedar shake mill was in operation.

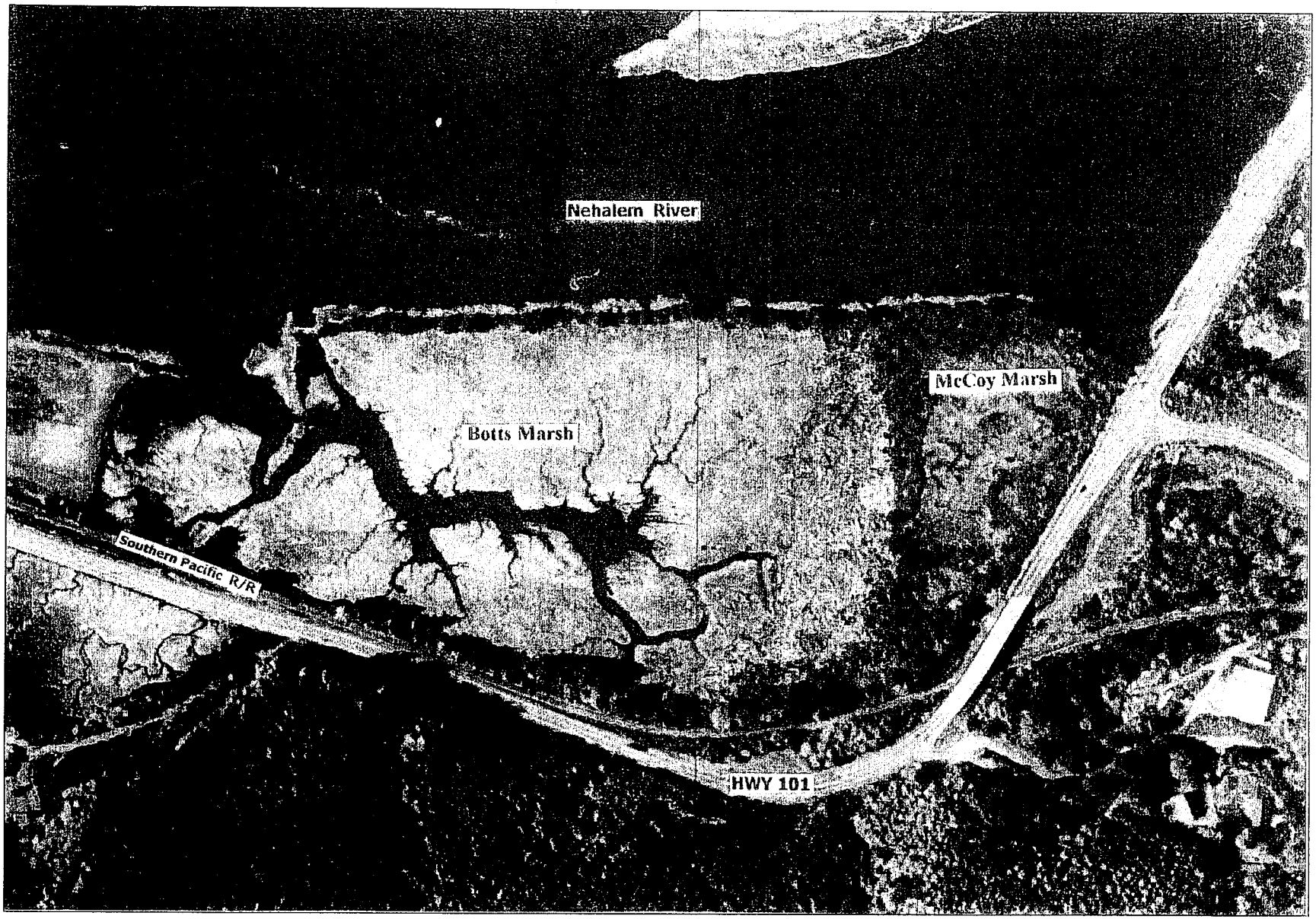

Figure 4. Aerial photograph of Bott's Marsh taken in 1998.

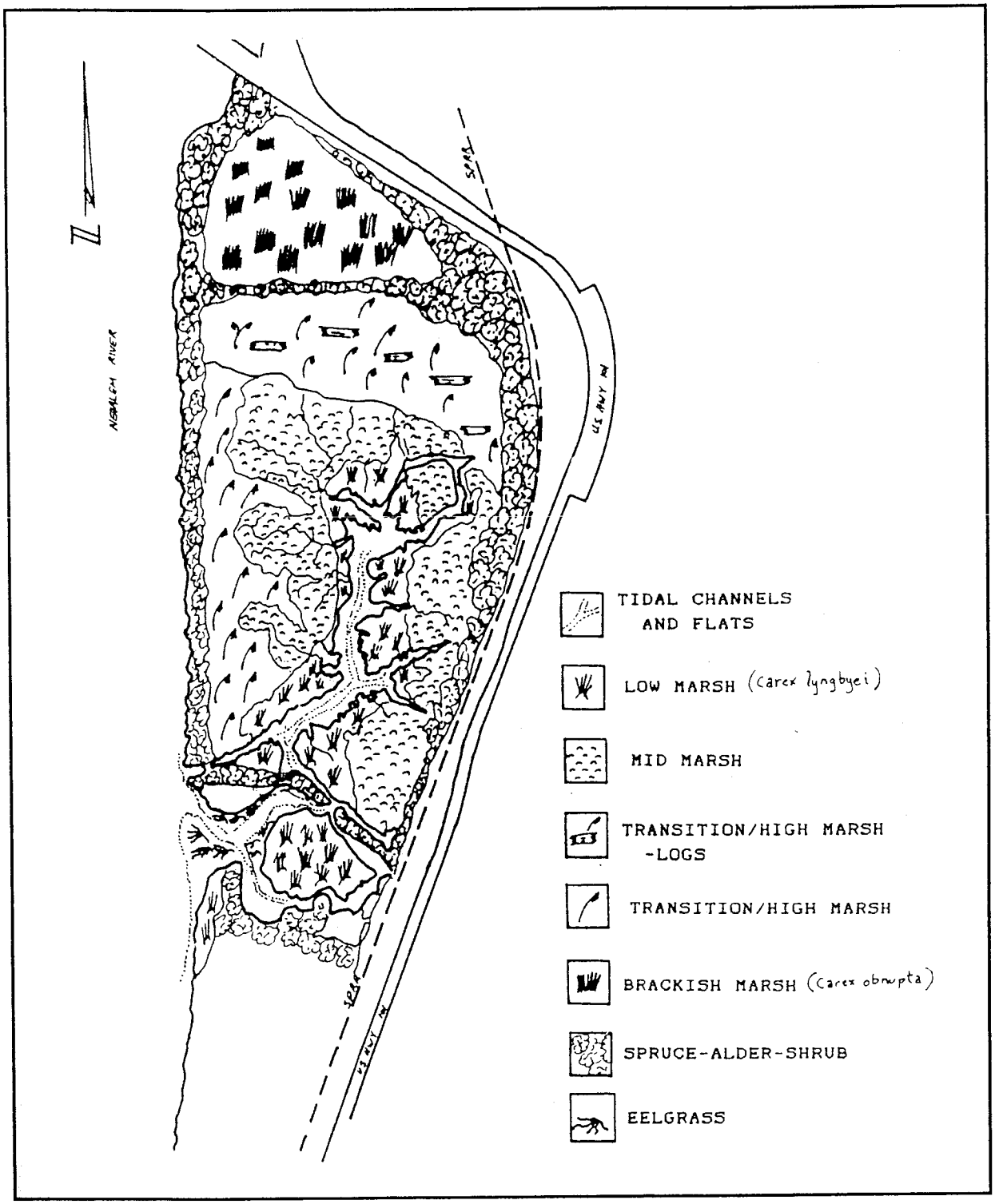

Figure 5. Bott's Marsh habitats (Fishman 1987).

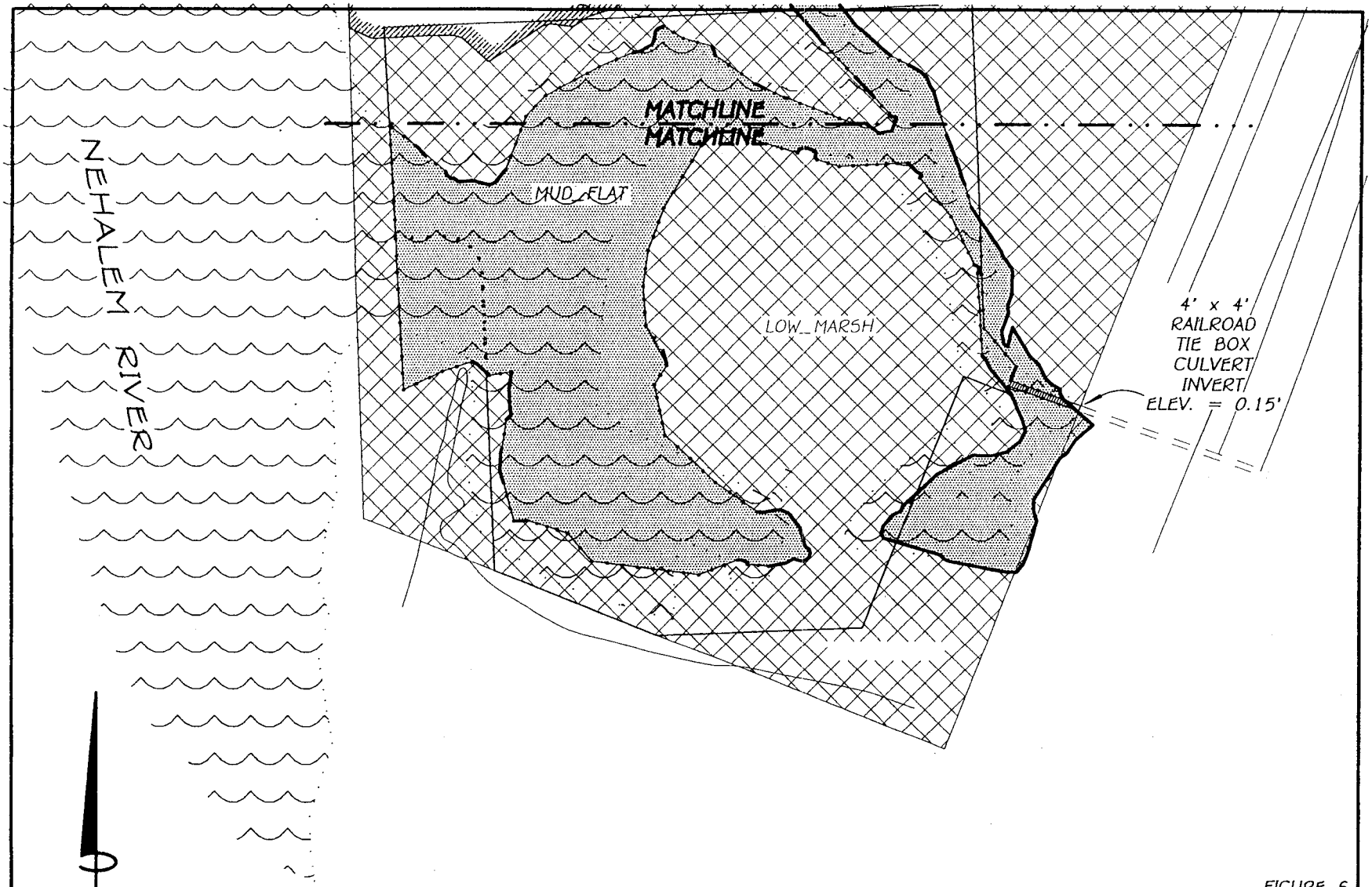

FIGURE 6

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT

MARSHLAND DELINEATION

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SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

MARSHLAND DELINEATION

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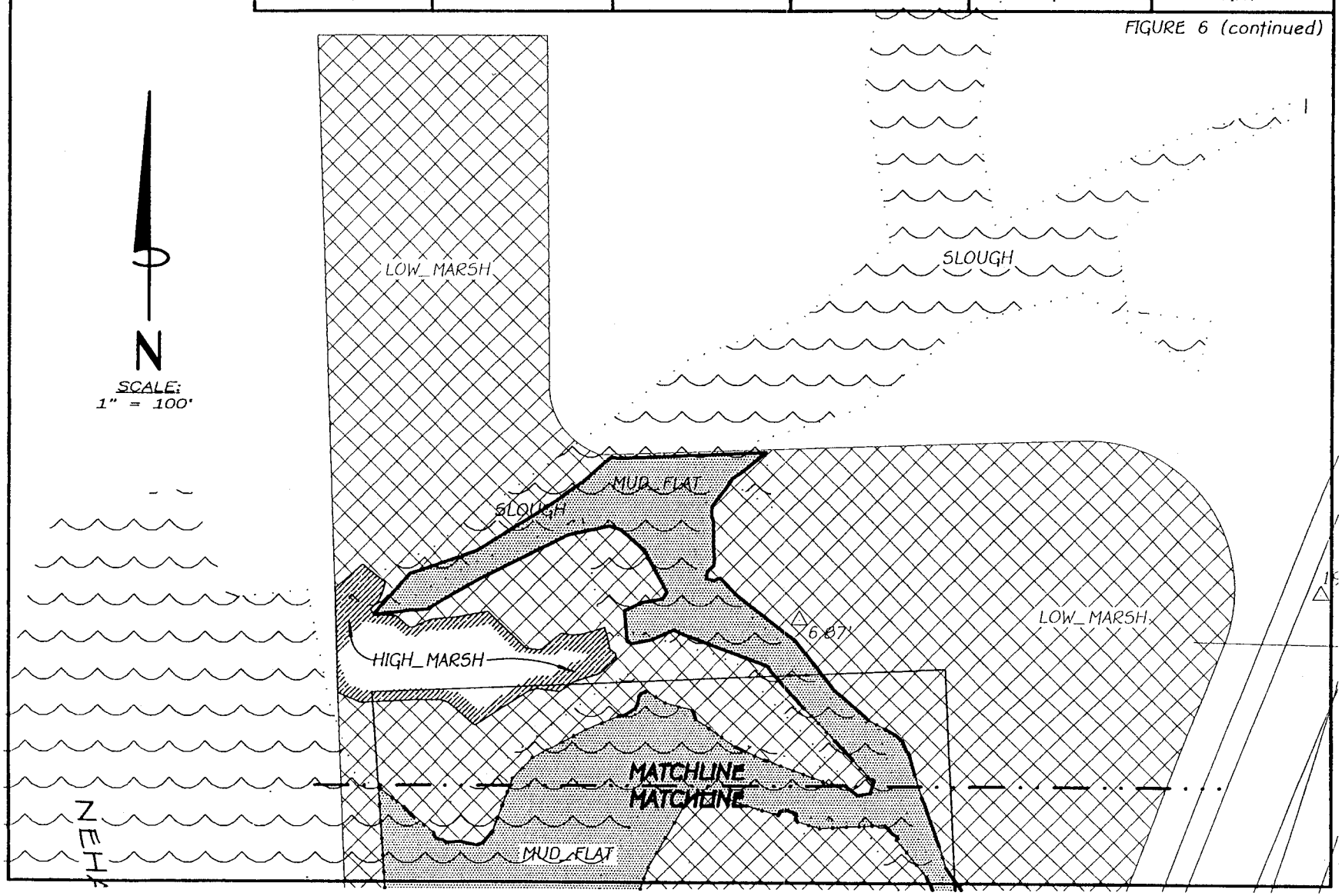
FIGURE 6 (continued)



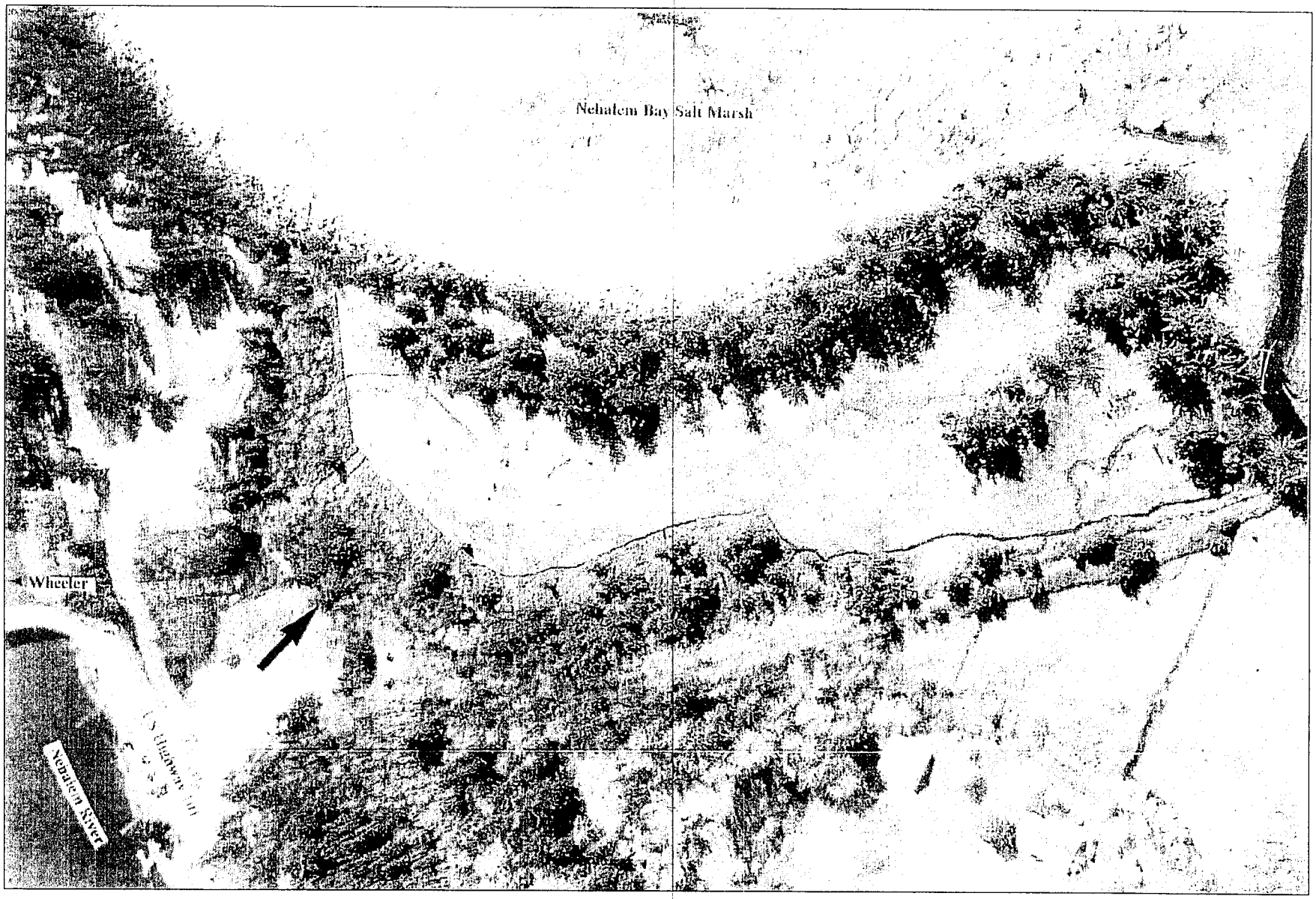


Figure 8. Aerial photograph of Dean Point Mitigation Site.

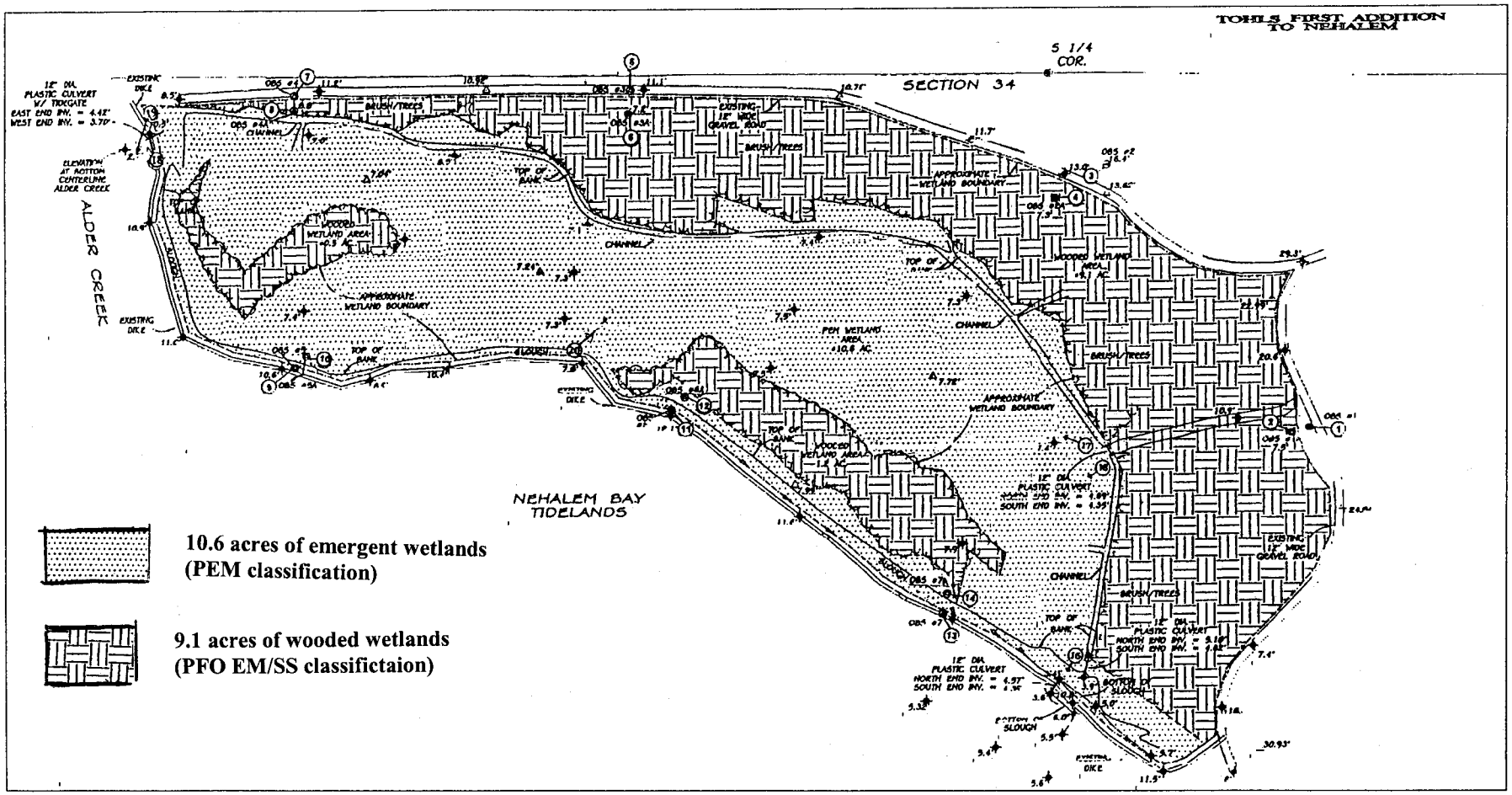


Figure 9. Wetland delineation map for the Dean's Point Mitigation Site (Ternyik et al. 2001b).

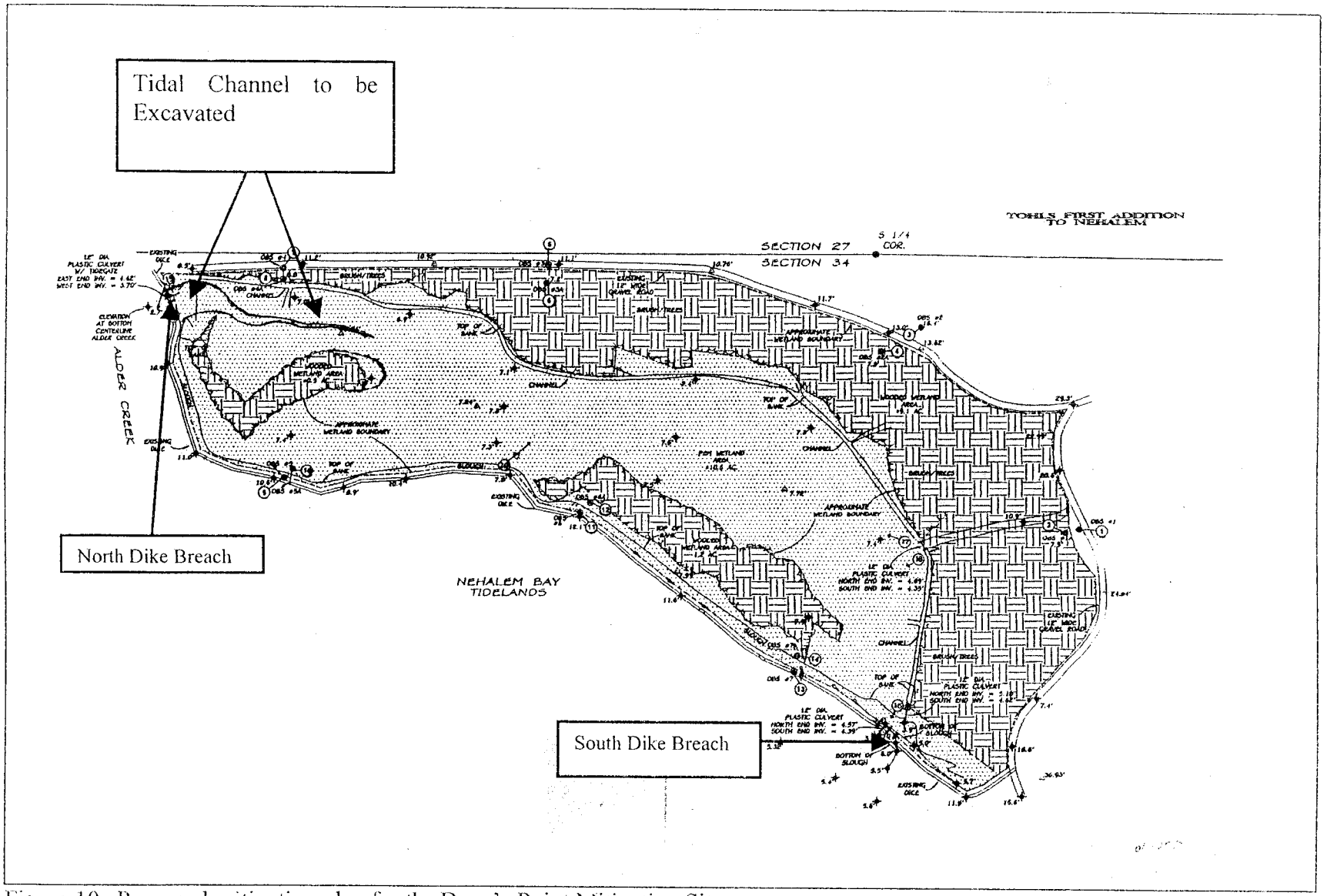
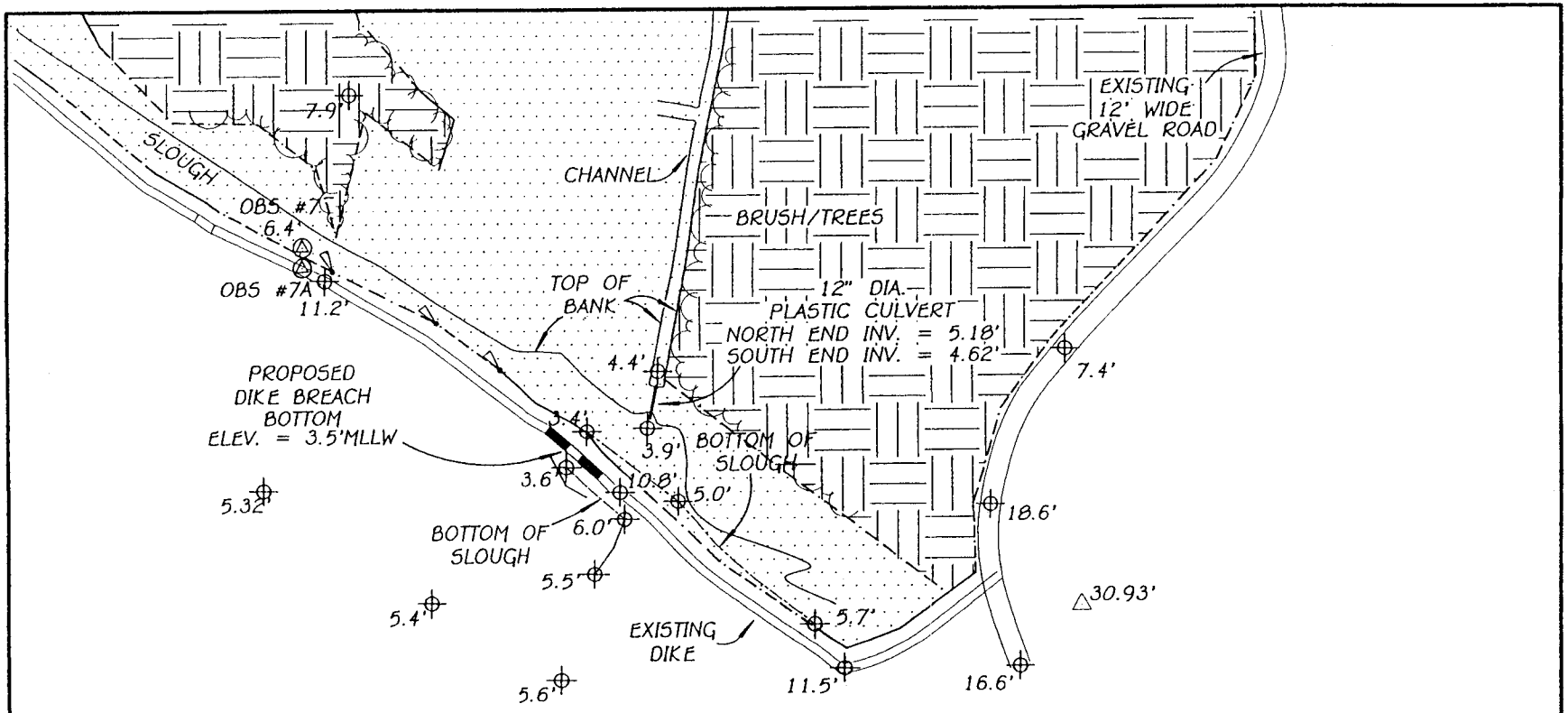
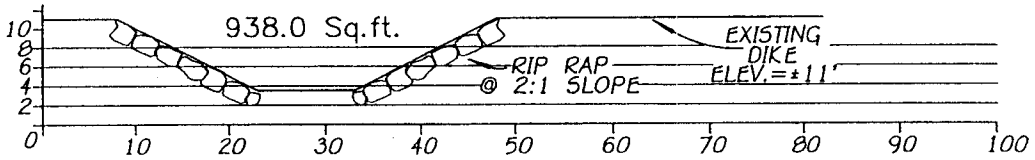


Figure 10. Proposed mitigation plan for the Dean's Point Mitigation Site.



±345 cu.yd.

CROSS SECTION DIKE



SCALE:
1" = 100'

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 11

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT
DEAN'S POINT MITIGATION SITE
SOUTH DIKE BREACH LOCATION AND
CROSS-SECTION OF BREACH
TILLAMOOK COUNTY

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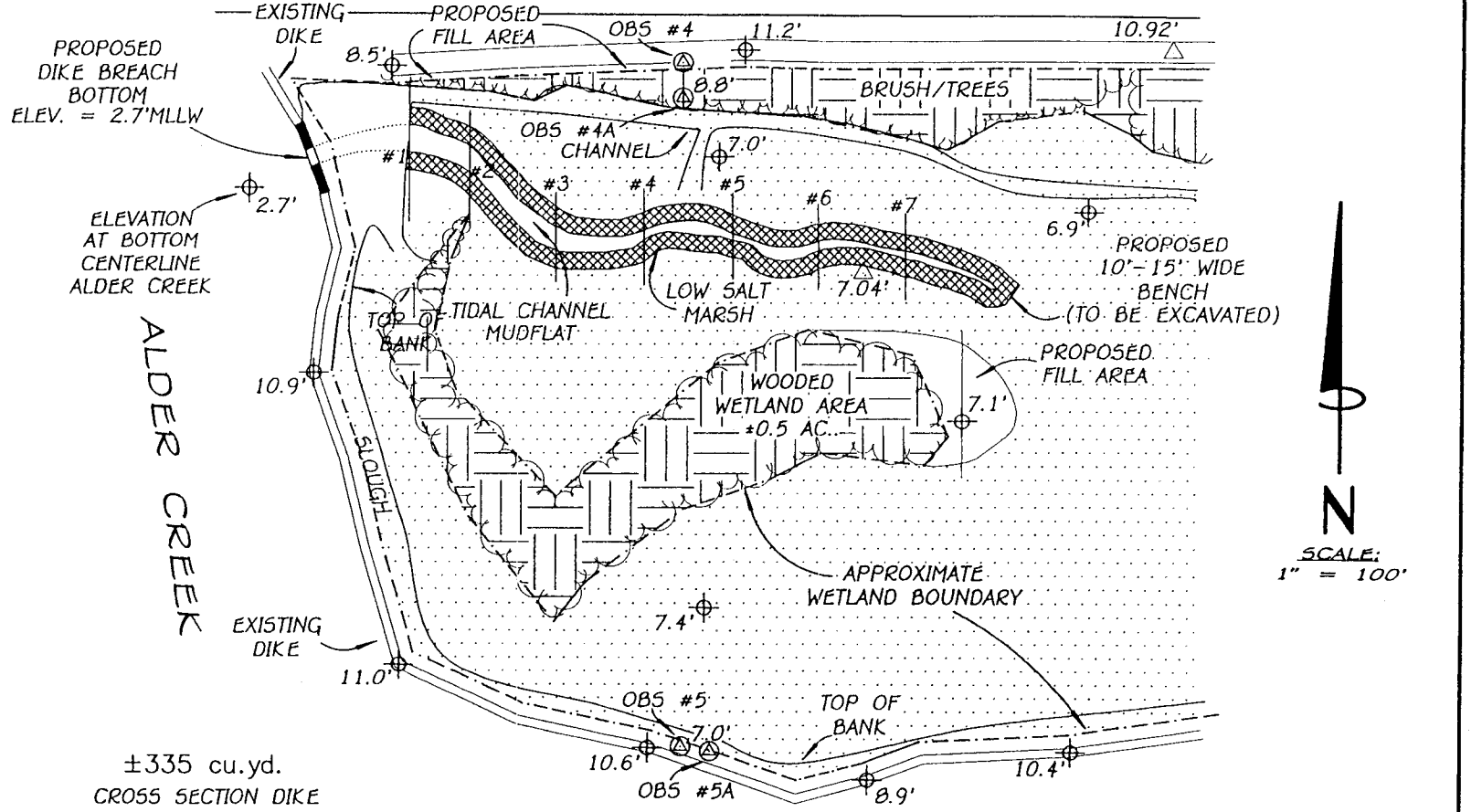
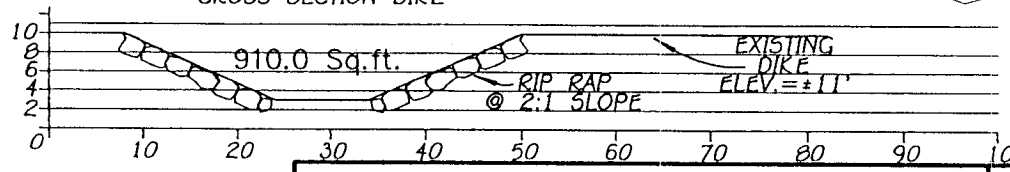
NOTE: APPROXIMATELY 4,300 CUBIC YARDS OF MATERIAL IS TO BE REMOVED BY THE EXCAVATING OF THE PROPOSED CHANNEL. THIS MATERIAL WILL BE PLACED IN THE AREAS SHOWN HEREON AS PROPOSED FILL AREAS LOCATED AT THE EAST END OF THE WESTERLY WOODED WETLANDS AND ALONG THE SOUTH SIDE OF THE ACCESS ROAD ALONG THE NORTH SIDE OF PROJECT SITE.



±335 cu.yd.
CROSS SECTION DIKE



* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 12

SKETCH MAP FOR:
NEHALEM RIVER DREDGING
BOTTS MARSH PROJECT
DEAN'S POINT MITIGATION SITE
NORTH DIKE BREACH LOCATION AND
PROPOSED FILL AND REMOVAL AREA
TILLAMOOK COUNTY

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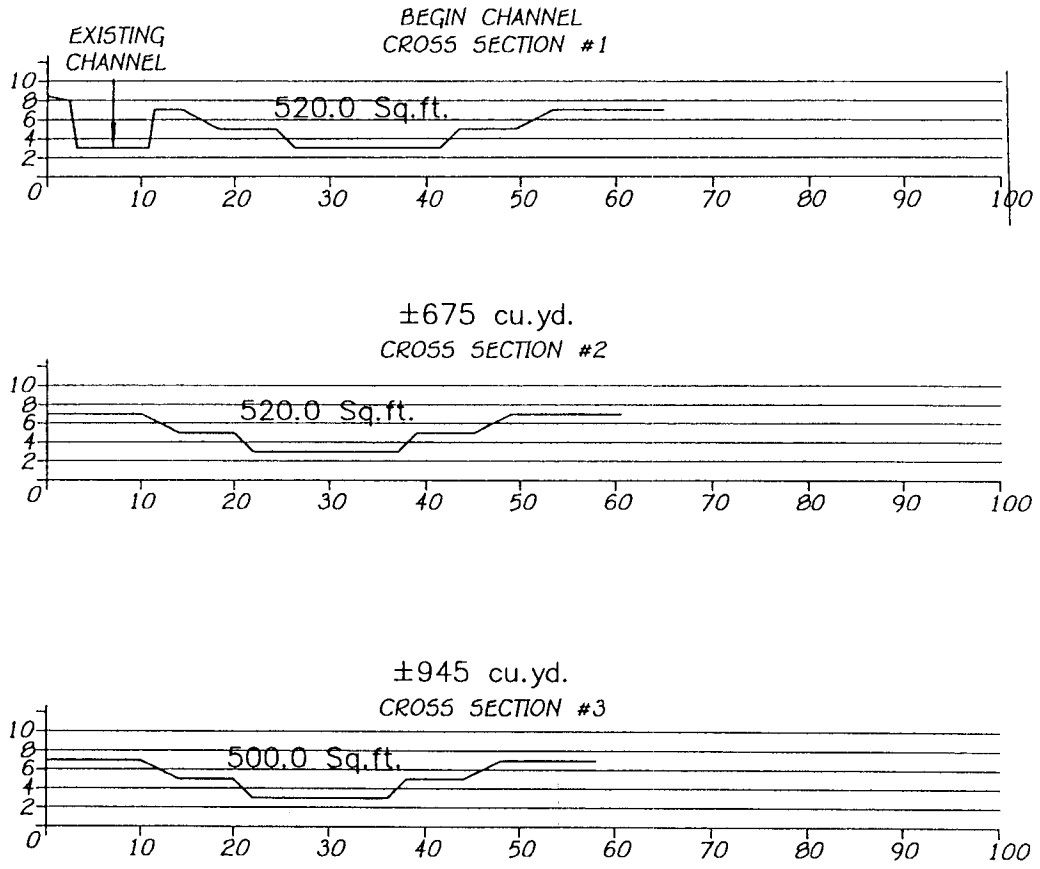

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 13

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

DEAN'S POINT MITIGATION SITE

CROSS-SECTIONS THROUGH PROPOSED TIDAL CHANNEL

TILLAMOOK COUNTY

SURVEY BY:
HLB & ASSOC., INC.
HANDFORTH LARSON & BARRETT
SURVEYING · ENGINEERING · PLANNING
TILLAMOOK COUNTY
160 LANEDA AVE.
MANZANITA, OR 97130
(503) 368-5394
FAX: (503) 368-5847
CLATSOP COUNTY
4253A HWY 101 N.
GEARHART, OR 97138
(503) 738-3425
FAX: (503) 738-7455

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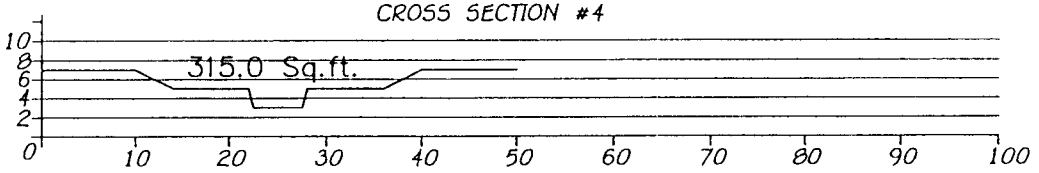
APRIL 1, 2003	0098-11411-28	"NRDRDG" #A2001	VS	GAC	MHT

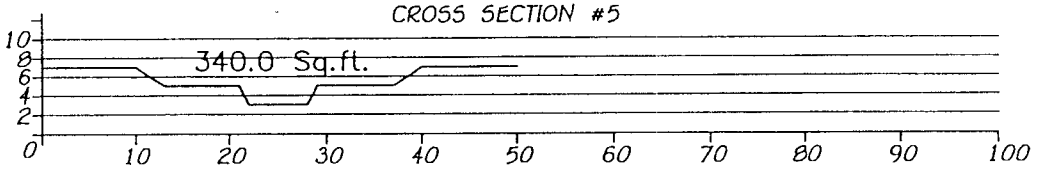
±755 cu.yd.

CROSS SECTION #4



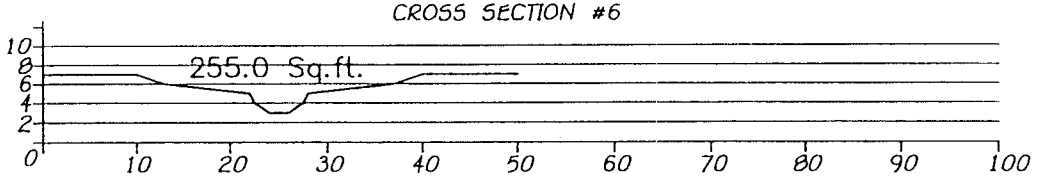
±605 cu.yd.

CROSS SECTION #5



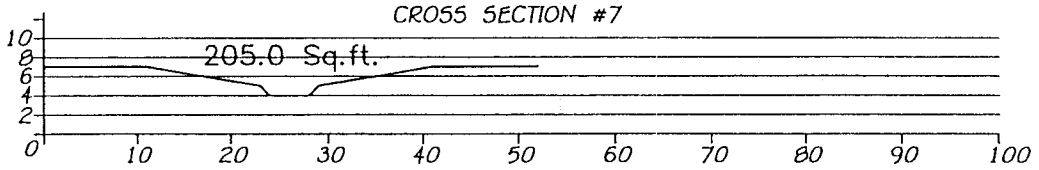
±550 cu.yd.

CROSS SECTION #6



±425 cu.yd.

CROSS SECTION #7



* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 13 (continued)

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

DEAN'S POINT MITIGATION SITE

CROSS-SECTIONS THROUGH PROPOSED TIDAL CHANNEL

TILLAMOOK COUNTY

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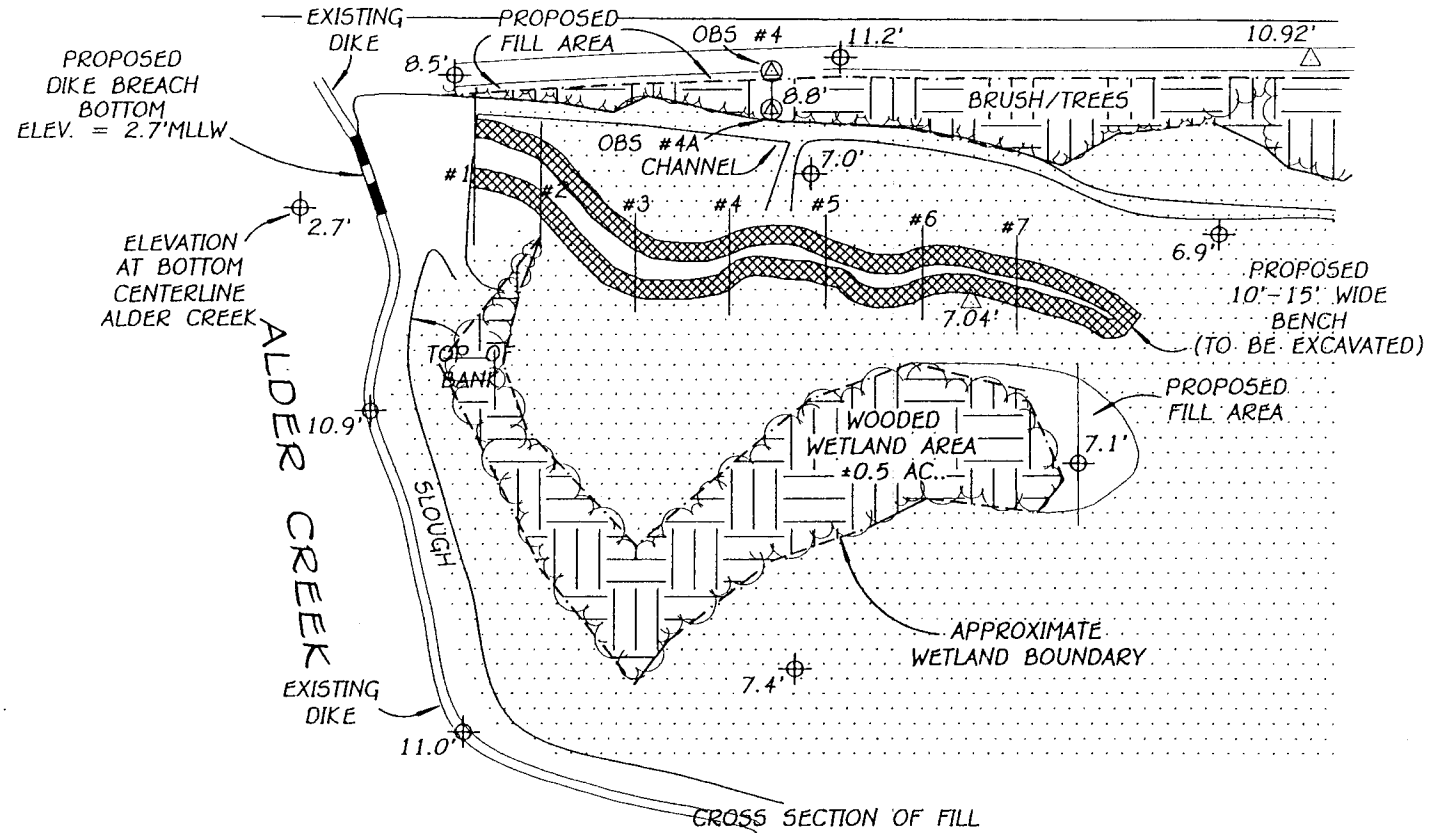

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 14

N

SCALE: 1" = 100'

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

DEAN'S POINT MITIGATION SITE

CROSS-SECTION THROUGH FILL AREA

TILLAMOOK COUNTY

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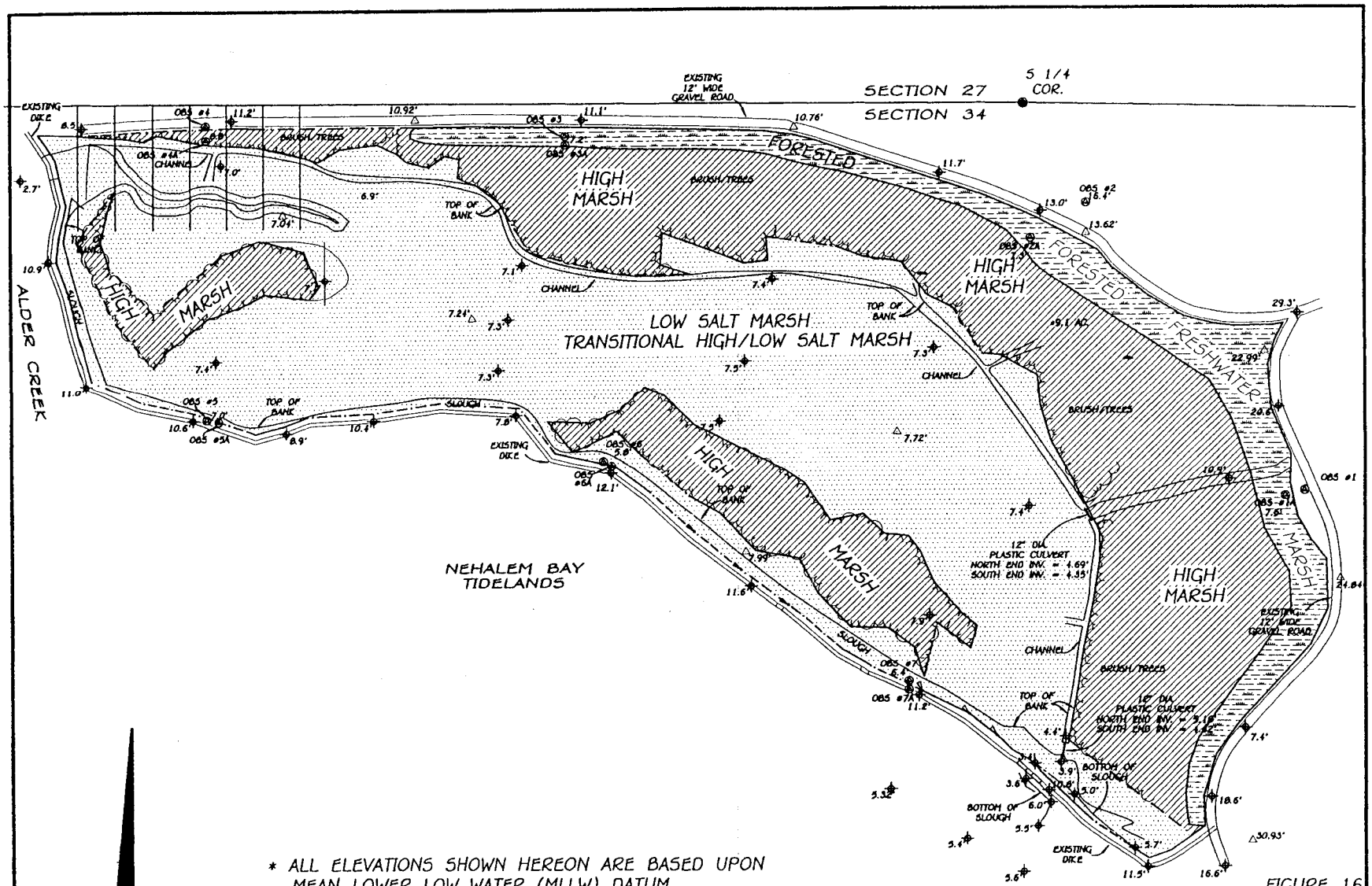

* ALL ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER (MLLW) DATUM.

FIGURE 16

N

SCALE: 1" = 200'

SKETCH MAP FOR:

NEHALEM RIVER DREDGING

BOTTS MARSH PROJECT

DEAN'S POINT MITIGATION SITE

MARSHLAND DELINEATION

TILLAMOOK COUNTY

SURVEY BY:
HLB & ASSOC., INC.
HANDFORTH LARSON & BARRETT
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DATE	JOB NO.	FILE	DESIGNED	DRAWN	CHECKED
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ATTACHMENT 2

PLANTING PLAN FOR SALT MARSH PLANTS

ATTACHMENT 2

Recommended specifications for planting hairgrass (*Deschampsia caespitosa*). Specifications are also applicable to slough sedge (*Carex obnupta*), sharp-fruited rush (Juncus acuminatus), and Lymgbyei's sedge (*Carex lyngbyei*).

INSPECTION:

1. Inspections should be made by the Contracting Officer of authorized representative. A representative cross-section of not less than 5% of the planted areas should be inspected to ensure compliance with the contract requirements.

2. Nonconformance with any specifications classifies a plant hill as unsatisfactorily planted. A tolerance of 5% of 5 unsatisfactory plant hills per 100 is satisfactory. Any amount over 5% should be applied as an equal percentage reduction of the acreage planted (payments being made on the basis of net acreage). When the deficiencies are 10% or over, the contractor should be expected to take steps to correct them.

PLANTING STOCK:

1. The stock to be planted is hairgrass (*Deschampsia caespitosa)*. The source and quality of the planting stock should be approved by the Contracting Officer or authorized representative. Age of planting stock should not exceed two years.

DIGGING AND TRIMMING:

1. The plants are dug by passing a shovel under the root system and prying upward. Plants should then be dipped in water to clean the root system. The plant is then separated into sprigs of four to seven culms. The tops should be cut back so that the overall top growth length of the planting stock is eight to nine inches. The roots should be cut back so that the overall length does not exceed five to six inches. Plants should not be tied into bundles.

STORAGE:

1. The planting stock should be planted within four hours of removal from the nursery areas or intertidal storage areas. All transplants should be stored in ventilated plastic containers that allow free flow of tidal water. Containers should be placed in holes dug in the upper one-third of the tidal range. Tidal waters should cover the plants at high tide. Root systems should be protected from excessive drying at all times. Plants should not be stored in tight containers; nor should they be stored over seven days.

TRANSPORTATION AND HANDLING:

1. The planting stock should be handled and transported by any method that does not damage the planting stock or surrounding marsh areas. Planting stock root systems must be kept cool and moist at all times. Main plant stems must not be broken. Dry root systems or broken main stems are grounds for rejection of planting stock prior to planting.

PLANTING:

1. The grass should be planted in hills and there should be four to seven live culms (stems) per hill. All culms should have a minimum top height of eight inches.

2. The spacing between hills should average one-half meter.

3. The grass should be planted to a depth of five or six inches. The sand or silt used for cover should be firmly compacted to prevent float outs. The opening must be large enough to prevent J. rooting. The top of the plant should be upright and should extend seven to eight inches above the ground.

4. No planting should be done on any area until the tidal waters have been off the surface for one hour. Nor should any planting be done when temperature exceeds 65 degrees F. or when freezing conditions prevail. The Contract Officer or representative should have full authority to halt work when conditions become unfavorable.

5. Planting should be done by hand or by machine provided that machines used do not cause excessive damage to the benthic community. The Contracting Officer or representative should make the decision on an allowable method.

FERTILIZATION:

1. All areas planted should be fertilized with commercial fertilizer 12-12-12 applied at the rate of 800 lbs. per acre. The fertilizer should be applied no sooner than two weeks after planting and on a day when the wind is calm. Fertilizer can be broadcast by hand or machine. The fertilizer should be applied at the time directed by the Contracting Officer or representative.

CHANGES:

1. Any changes in the specifications should take place only after the Contractor has received written orders from the Contracting Officer.

PUBLIC NOTICE
Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200200711
Oregon Division of State Lands Number: 30764-RF

Notice Issued: October 17, 2003
Written Comments Due: November 17, 2003

WHO IS THE APPLICANT: Vern Scovell

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project
NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project
WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:
Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

PUBLIC NOTICE
OREGON COASTAL MANAGEMENT PROGRAM
CONSISTENCY CERTIFICATION

Date: October 17, 2003

Corps of Engineers Action ID Number: 200200711
Oregon Division of State Lands Number: 30764-RF

Notification

For projects subject to coastal zone review, notice is hereby given that the project is being reviewed by the Department of Land Conservation and Development (DLCD) as provided in Section 307(c) of the Coastal Zone Management Act. The applicant believes that the activities described in the attached materials would comply with and be conducted in a manner consistent with the Oregon Coastal Management Program. Project information can be made available for inspection at DLCD's Salem office.

DLCD is hereby soliciting public comments on the proposed project's consistency with the Oregon Coastal Management Program. Written comments may be submitted to DLCD, 635 Capital St. NE, Suite 200, Salem, OR 97301-2540, attention consistency review specialist. Any comments must be received by DLCD on or before the comment deadline listed in the federal notice. For further information, you may call DLCD at (503) 373-0050, ext. 250.

REVIEW CRITERIA

Comments should address consistency with the applicable elements of the Oregon Coastal Management Program. These elements include:

- Acknowledged Local Comprehensive Plans & Implementing Ordinances
- Statewide Planning Goals
- Applicable State Authorities (e.g. Removal-Fill Law and Oregon Water Quality Standards)

INCONSISTENT?

If you believe this project is inconsistent with the Oregon Coastal Management Program, your comments to DLCD should explain why you believe the project is inconsistent and should identify the Oregon Coastal Management Program element(s) in question. You should also describe how the project could be modified, if possible, to make it consistent with the Oregon Coastal Management Program.